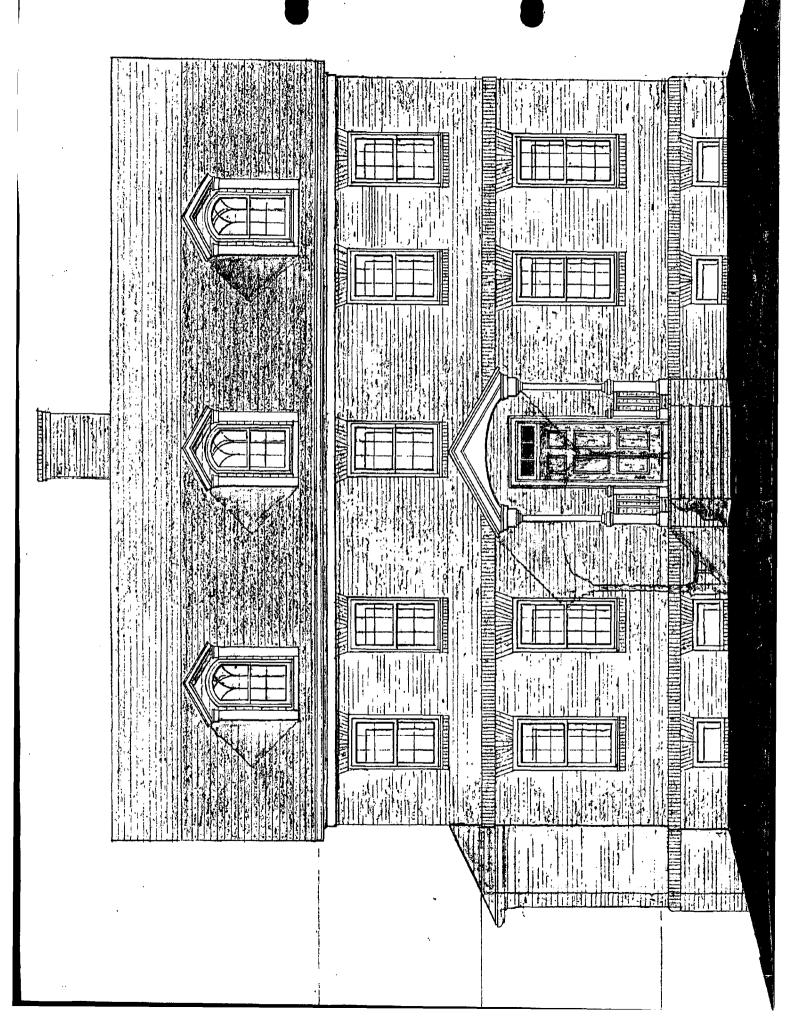
23/65-94G 9 North Street (Lot 4)
Brookeville H.D.



Two series of photographs are shown. The first illustrates the extent to which the homesite will be visible first, from the conservation areas (private back yards) to the South East, second from North Street and last, from Market Street. It also gives some indication of how visible the proposed rear deck will be.

The second is a series of 8 pictures showing representative homes in the Brookeville Historic District. None are adjacent to the proposed homesite but many are in the near vicinity.



Photo V-1. Taken from position between lots 2 and 3 in the meadow (conservation) area at a distance of about 200 feet. Used 35 mm lens. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have $8\ 1/2\ x\ 11$ inch manila folders at the top. Teresa is standing next to the post.



Photo V-2. Taken from position between lots 2 and 3 in the meadow (conservation) area at a distance of about 200 feet. A 70 mm lens was used. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have $8\ 1/2\ x\ 11$ inch manila folders at the top. Teresa is standing next to the post.



Photo V-3. Taken from position between lots 1 and 2 in the meadow (conservation) area at a distance of about 300 feet. A 35 mm lens was used. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have $8\ 1/2\ x\ 11$ inch manila folders at the top. Teresa is standing next to the post.



Photo V-4. Taken from position between lots 1 and 2 in the meadow (conservation) area at a distance of about 260 feet. A 70 mm lens was used. The outer post at the proposed home site is located at the outside corner of the deck. The inner post represents the corner of the house wall. Both posts have $8\ 1/2\ x\ 11$ inch manila folders at the top. Teresa is standing next to the post.



Photo V-5. Taken from the driveway flag of proposed home site at a distance of about 125 feet. The manila folder on the back post is barely visible through the trees just left of the center of the picture. It is seen as a small yellow dot. The large tree at the left of the picture is a tulip poplar located at the corner where the driveway flag joins the main portion of the lot. Trees to the right of center are part of the hedgerow.



Photo V-6. Taken from North Street at the boundary of lots 2 and 3 at a distance of about 250 feet from the proposed homesite. The 8 1/2 x 11 inch manila folder on the back post can be seen as a small yellow dot just left of center in the photo. The large tree at the center of the picture is a walnut located on lot 3 in the hedgerow. The tree's canopy extends out into the meadow in both directions for 40 feet or more. It can also be seen as one looks up the meadow from the direction of Market street. It, and the other trees in the hedgerow, will almost obscure the proposed homesite. It is at this point that a parallel driveway would need to be constructed across the front of lot 3 if a driveway easement cannot be obtained from the Lowders to use their existing driveway.



Photo V-7. Taken from North Street at the boundary of lots 1 and 2 at t distance of about 350 feet from the proposed homesite. All of the large trees seen at the back are part of the hedgerow except those at the extreme left. Those are at the corner of the driveway flag of the proposed homesite.



Photo V-8. This is a view of North Street looking up from Market street. The distance to the homesite from this point is about 630 feet. The house at the left is 209 Market Street, one of the homes shown in the pictures of houses with central chimneys.



Photo V-9. Taken from the sidewalk on Market Street next to 207 Market or lot 1 of Brookeville Manor. The manila folder was just obscured behind trees in the hedgerow at the center of the picture. The site is about 600 feet away. A 35 mm lens was used. The driveway wall of # 207 is seen at the right.



Photo V-10. This photo taken from the sidewalk on Market Street about 30 feet farther down from the spot where photo V-9 was taken. A 35 mm lens was used. The flag at the back of the homesite can been seen between the two large shrubs in the back yard of # 207 Market Street.

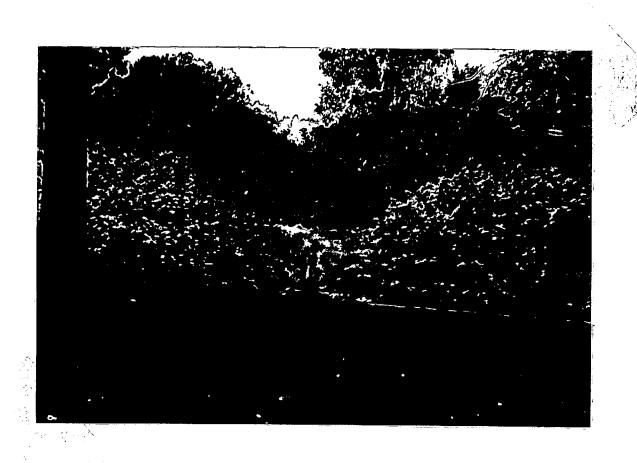


Photo V-11. The same as V-10 but using a 70 mm lens. The eye sees objects about the same as a 50 mm lens, which is between the 35 mm wide angle and the 70 mm telescopic views shown. Both lenses were used for several of these photos to provide a better sense of the true size as seen by the human eye.



Photo C-1. The "Madison House" at 205 Market Street. Built in 1798 and used in 1814 by President and Mrs Madison for several days during the British burning of Washington. One central chimney and one end chimney are seen in this view. The central chimney is the result of an addition to the original house.



Photo C-2. An Italianate style home built about 1840 located on lot 1 of the Brookville Manor subdivision. A rear chimney can be seen. A front central chimney is largely hidden behind the branches of a large tree. It may be the result of an addition to the original house. Market street photos (V 9 through 11) of the proposed homesite were taken across the yard of this home.



Photo C-3. This is a 1950s version of a Dutch Colonial at 209 Market Street. It includes several dormers and a prominent central chimney. It is located across the street from the Madison House.



Photo C-4. New home at 209 Market Street. A very recent (1993) home at the corner of North and Market Streets. It is a Colonial revival style and features a large central chimney.



Photo C-5. Another Dutch Colonial Revival style home at 212 Market Street. It was also constructed during the 20th century. A central chimney is a prominent feature of the dwelling.



Photo C-6. Located at 6 High Street, this American Foursquare home features vinyl Siding and a central chimney. The home was constructed in 1924.



Photo C-7. A home at 6 High Street, featuring a center gable and Gothic Revival style. A central chimney is also an element of the home. It was constructed in the 1870's.



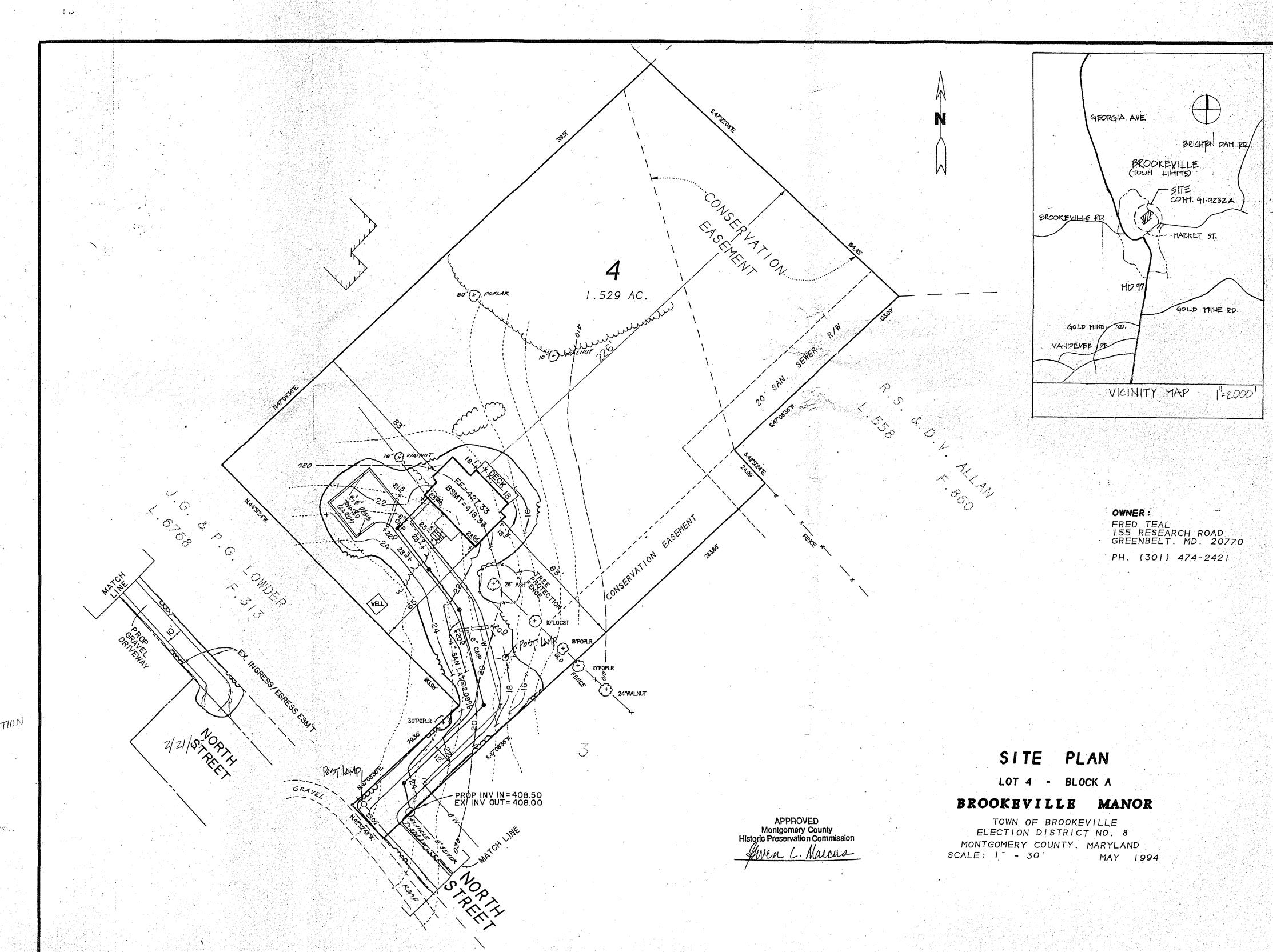
Photo C-8. A very architecturally interesting home at 306 Market Street. It was built in several phases and put to several commercial uses over time. It features a central, corbelled chimney. It dates from the 1800s.

-Comments on Pozzi Non TDL window

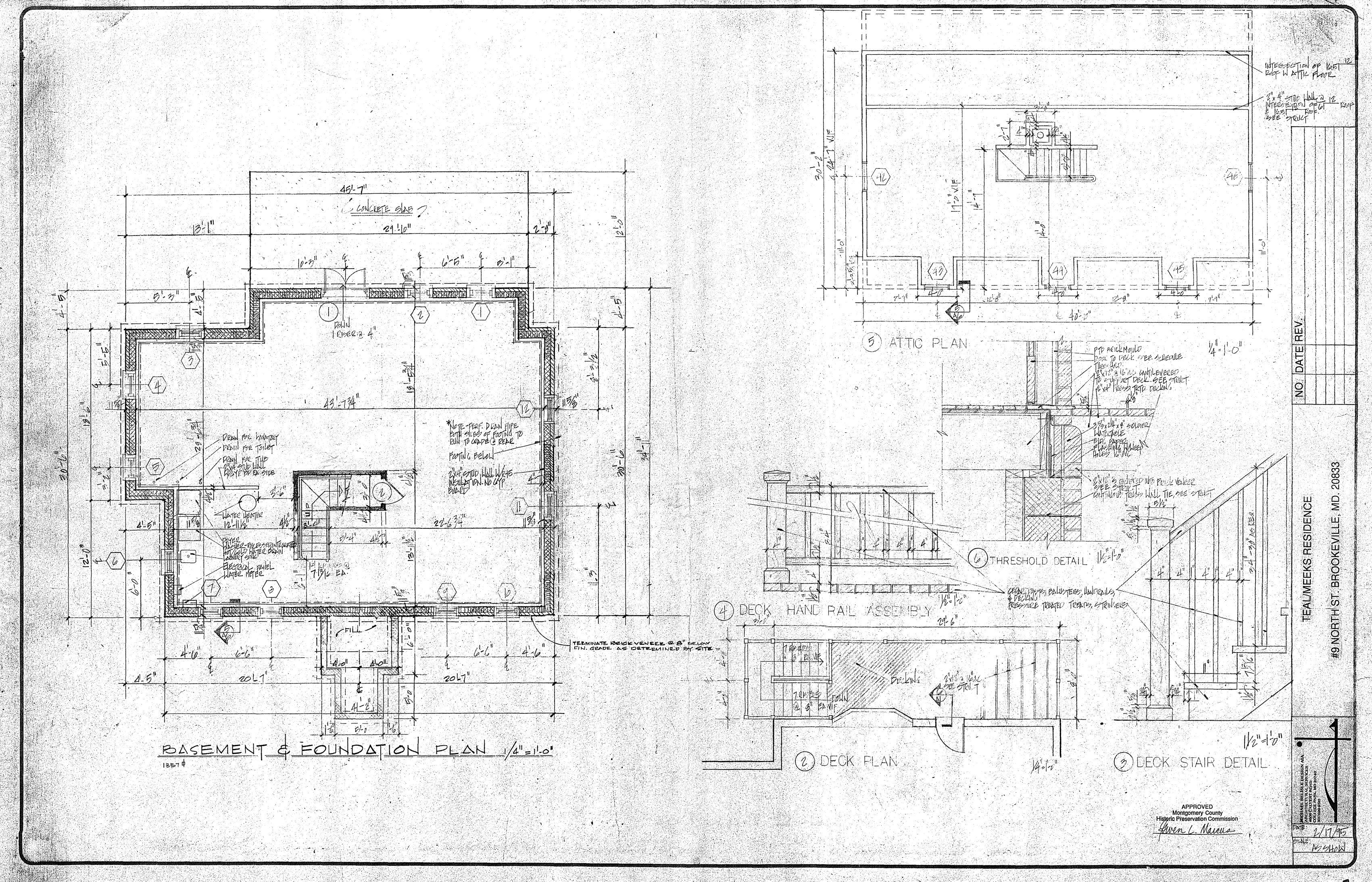
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- Commission is more stringent of review in
this area - generally Asks for 704 is lits.

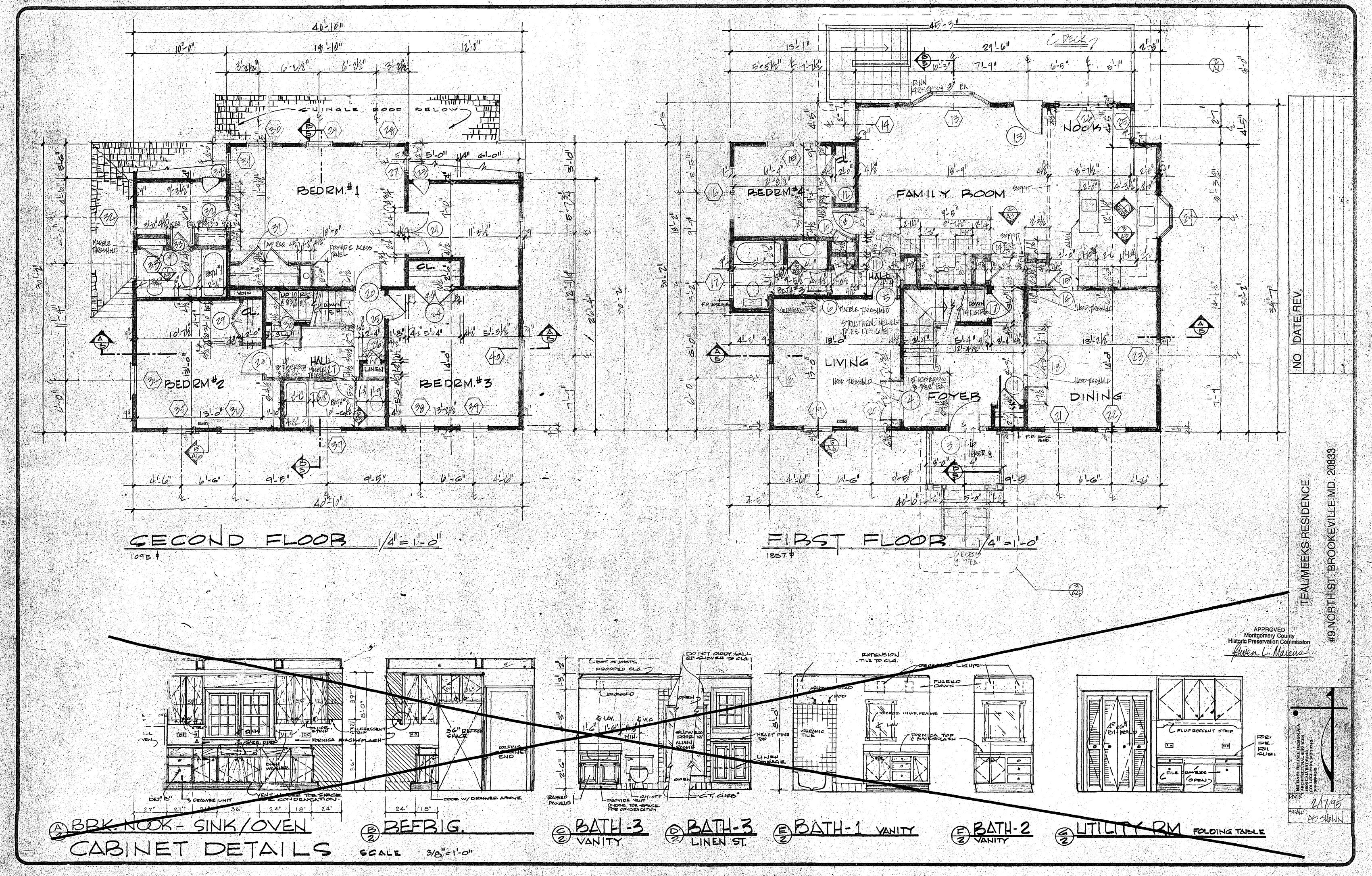
-Parilli: - on fence. Regionable in grality But needs - Better Casing.

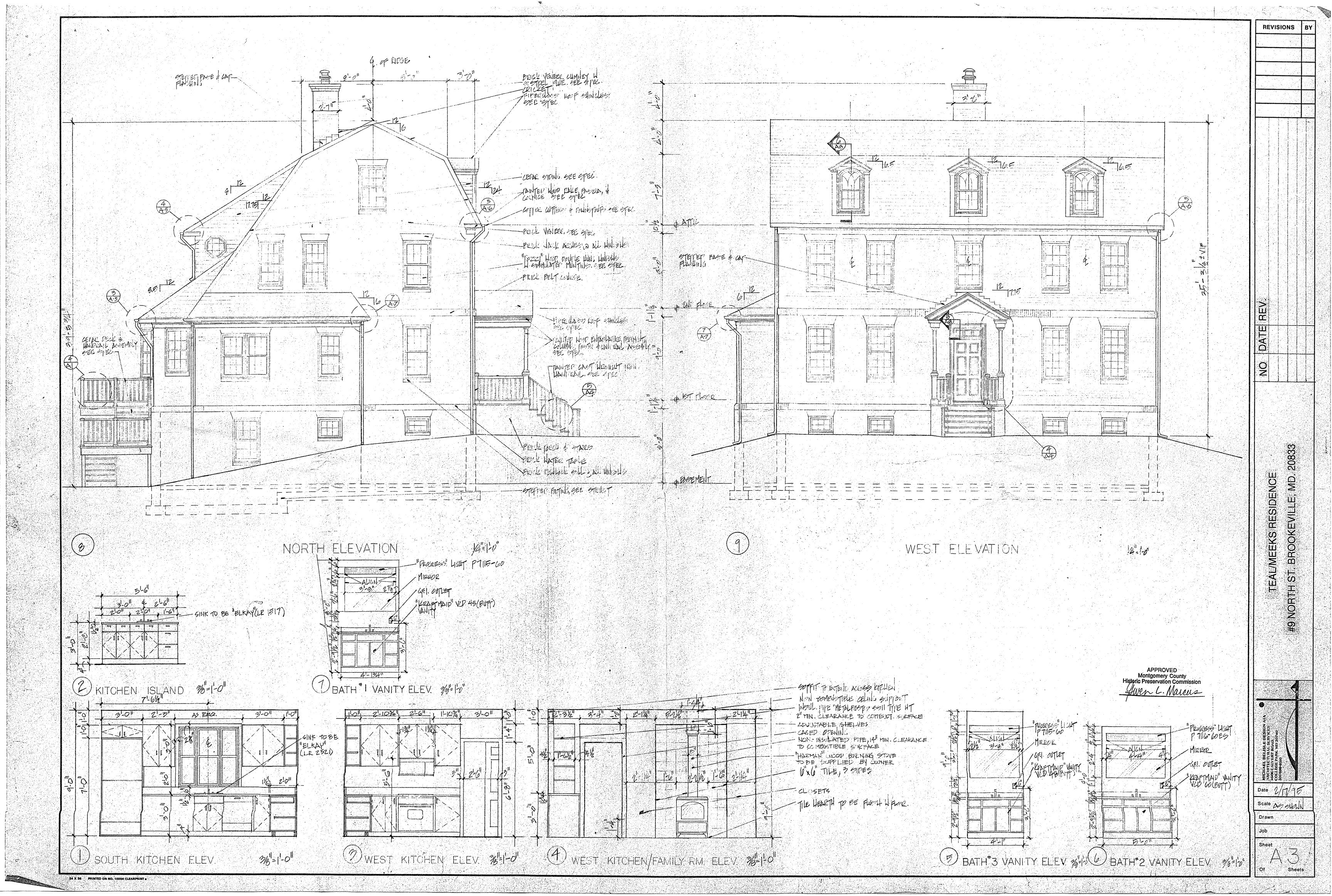
Guen: leave itupto Commission

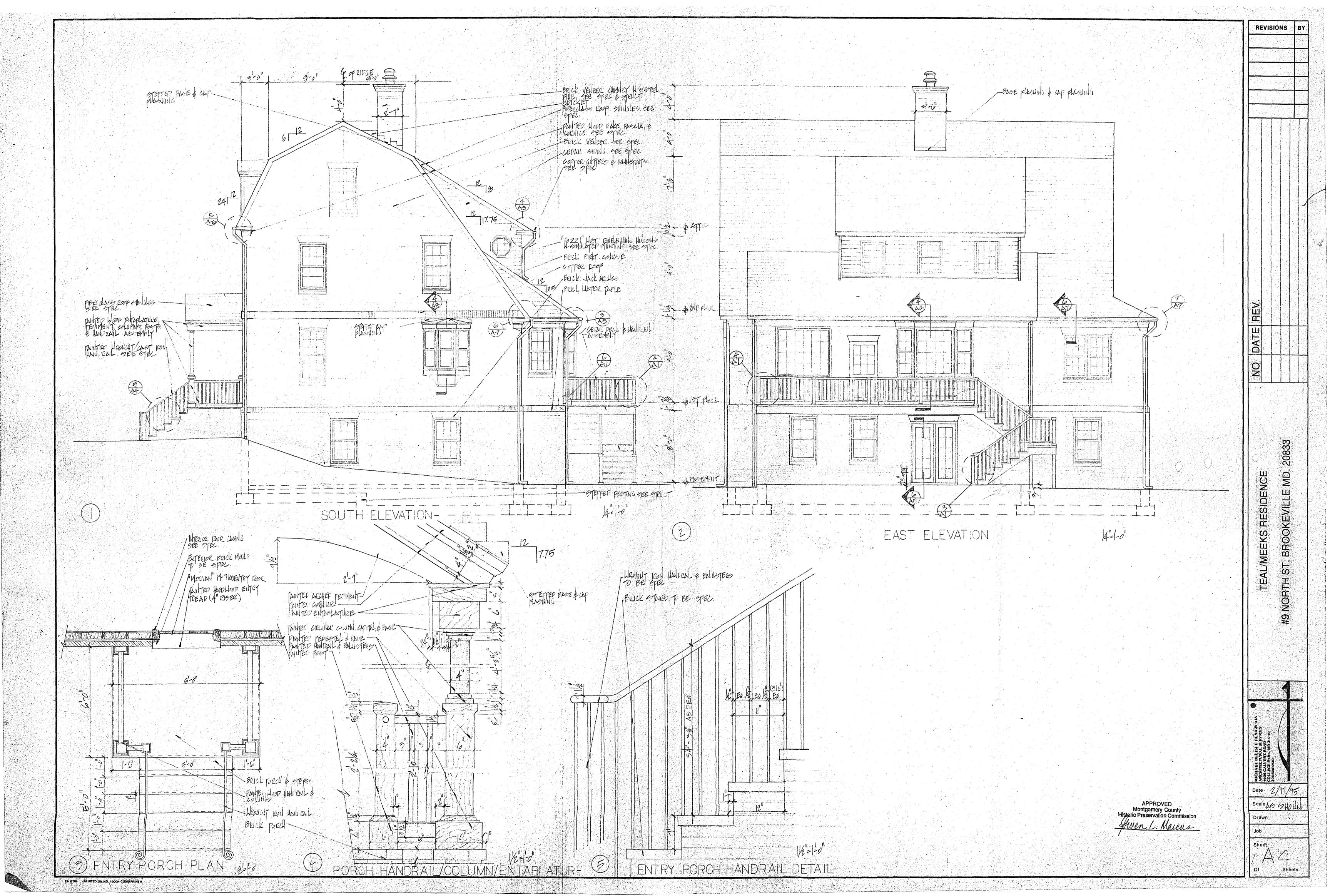


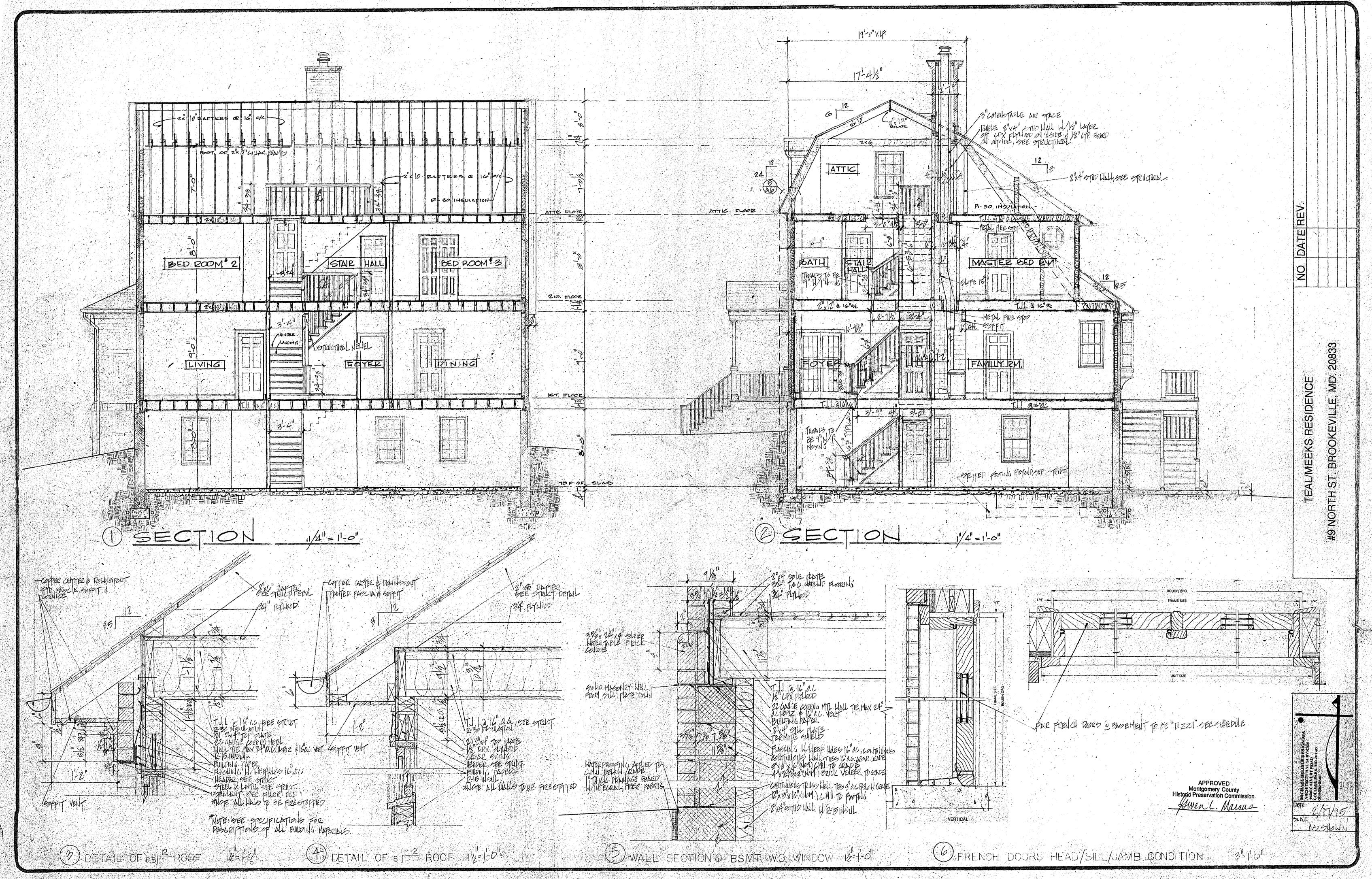
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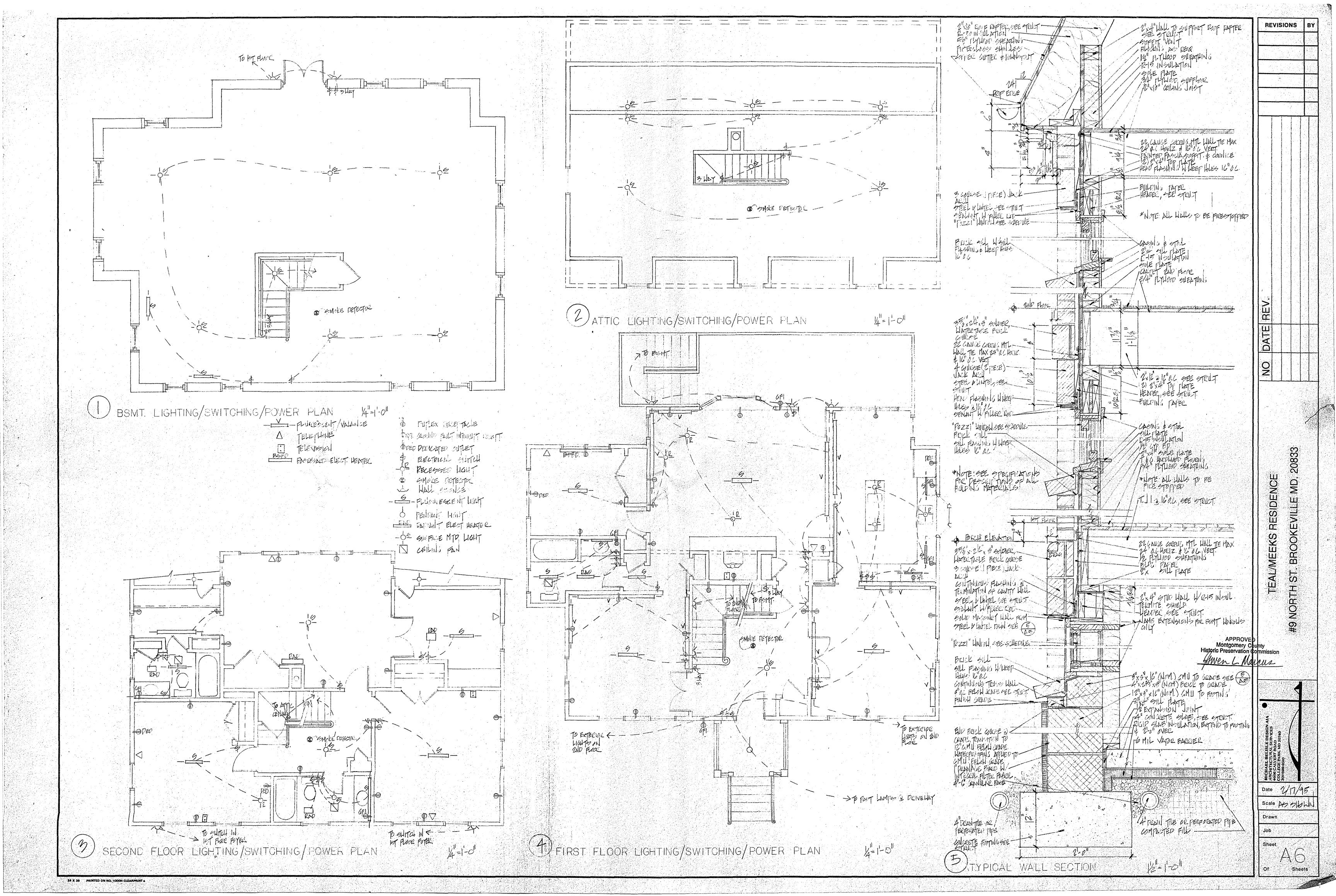


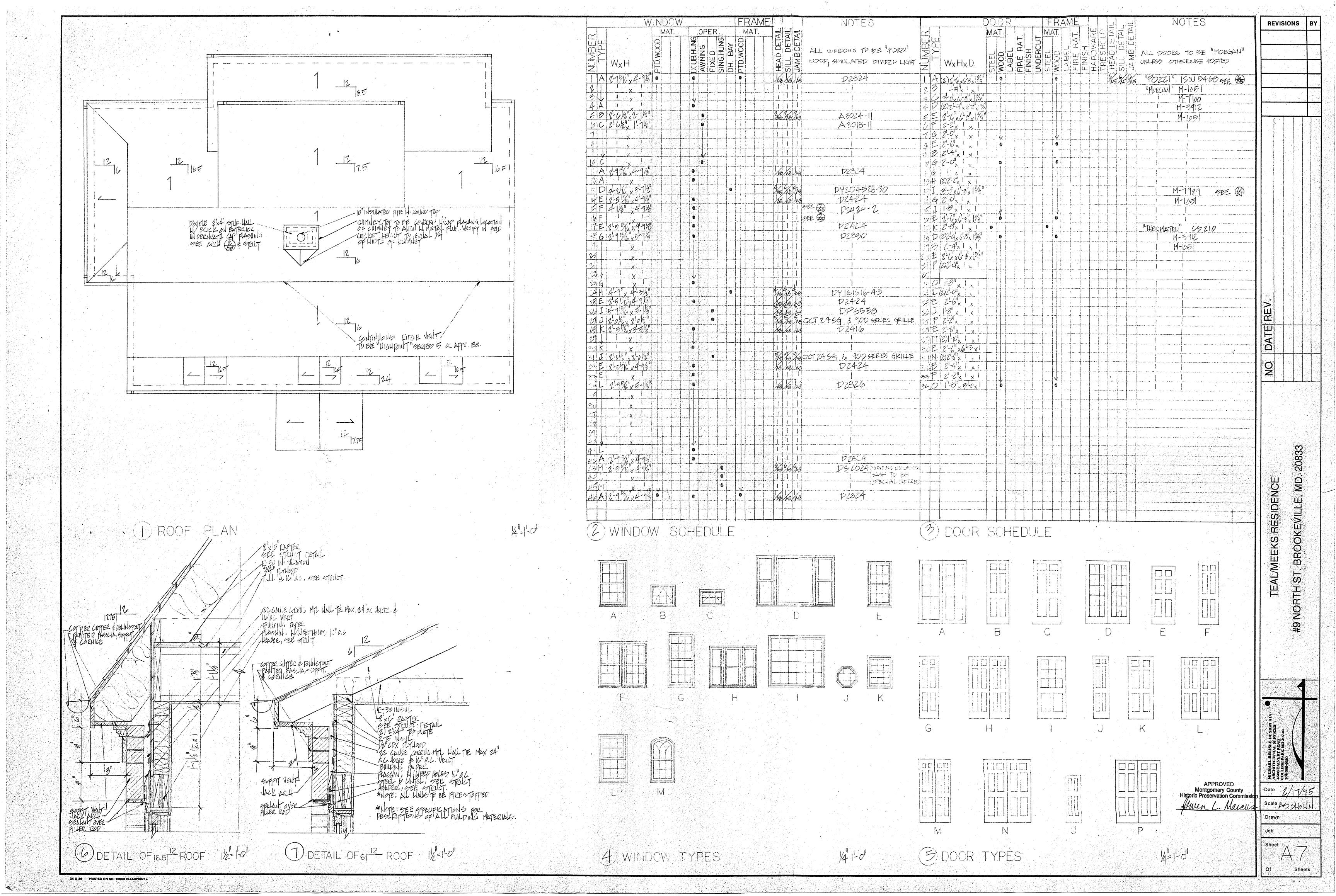


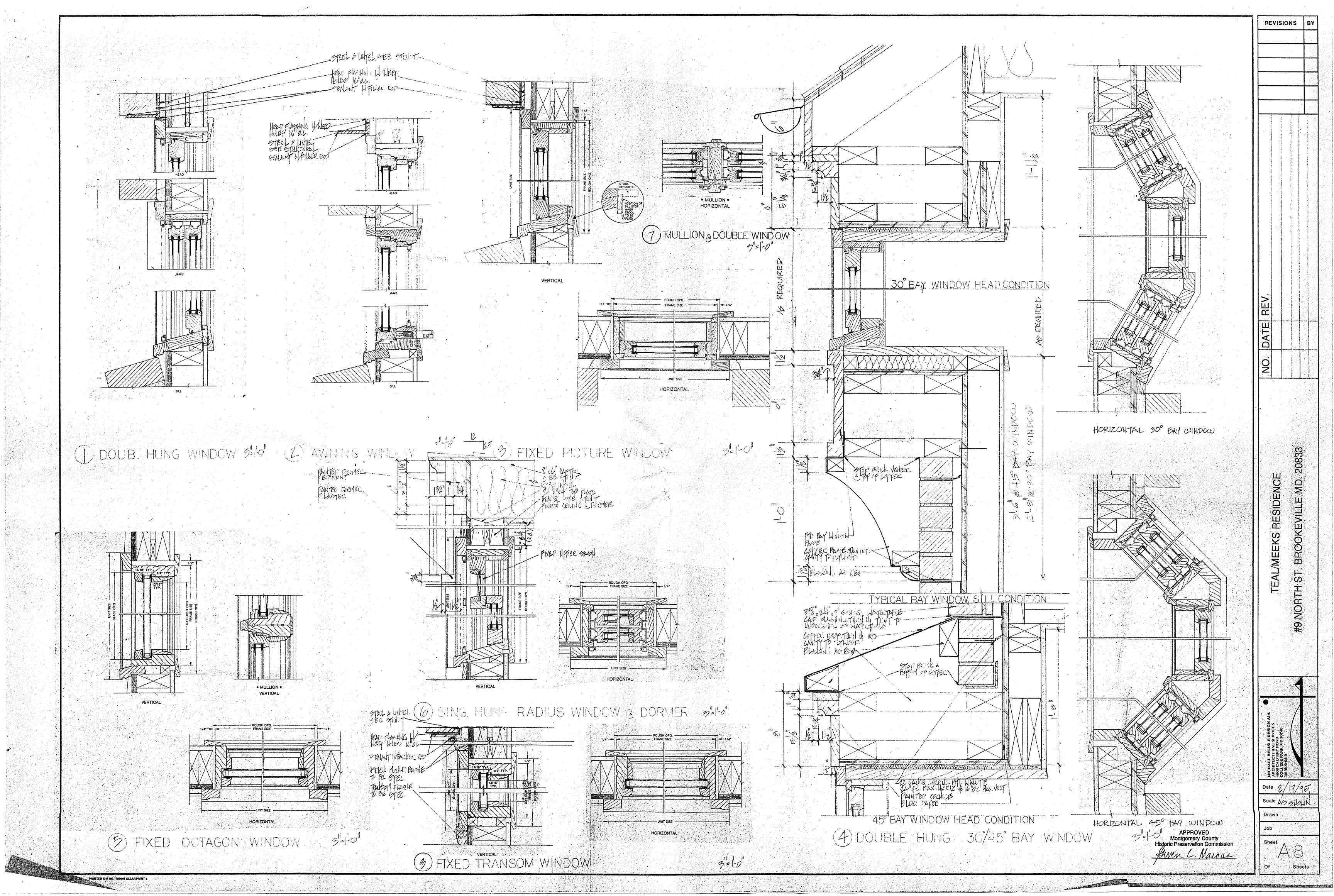


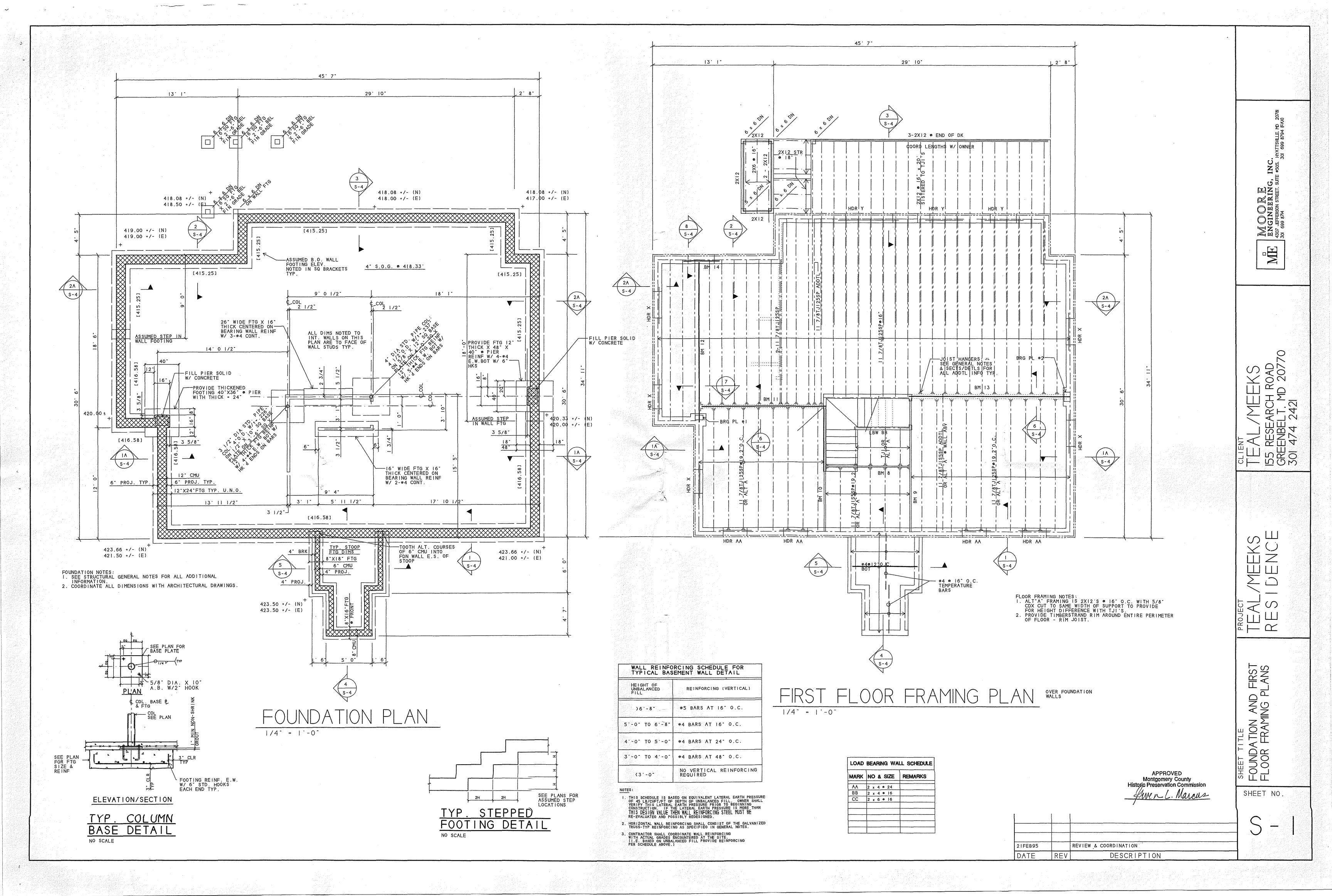


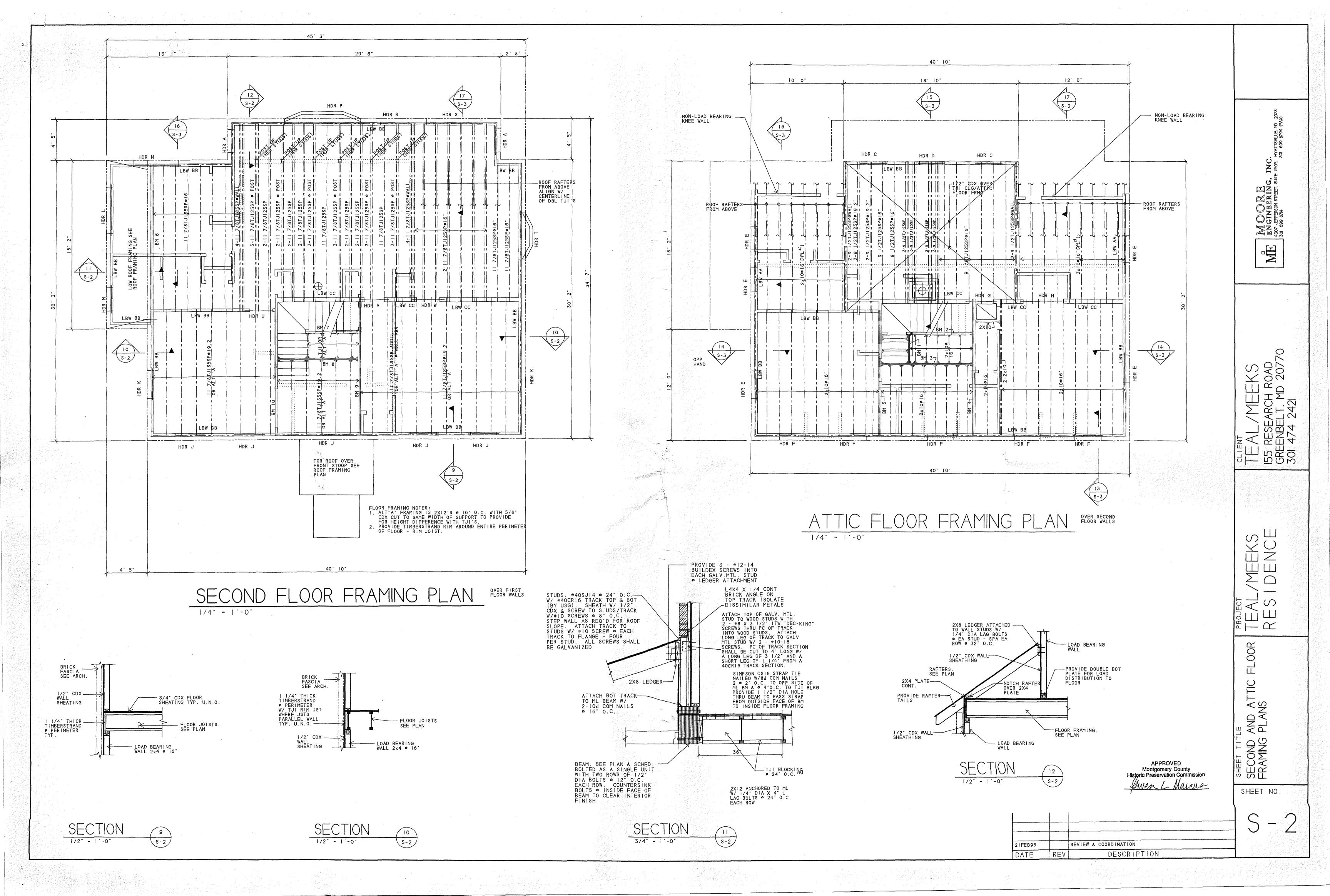


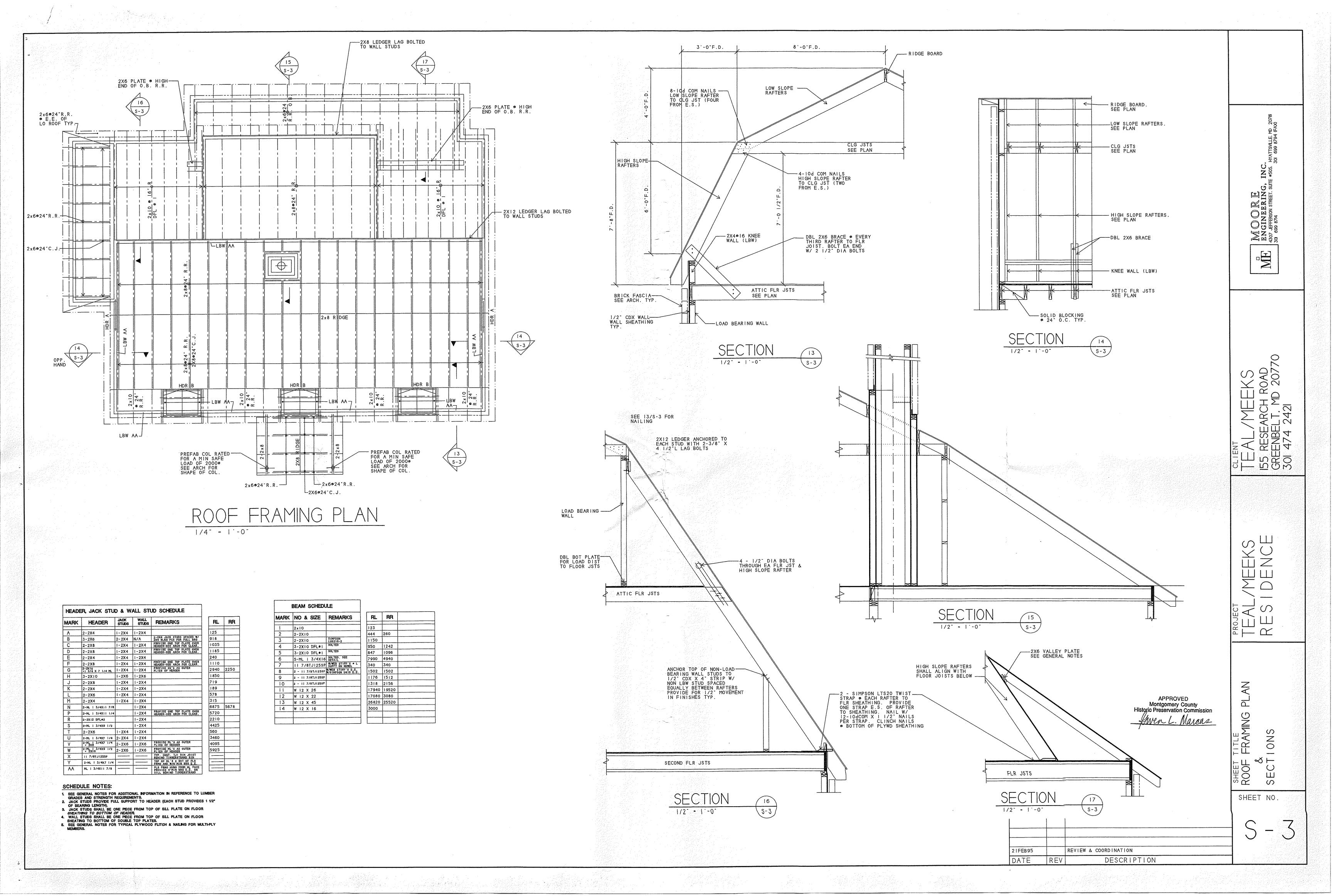


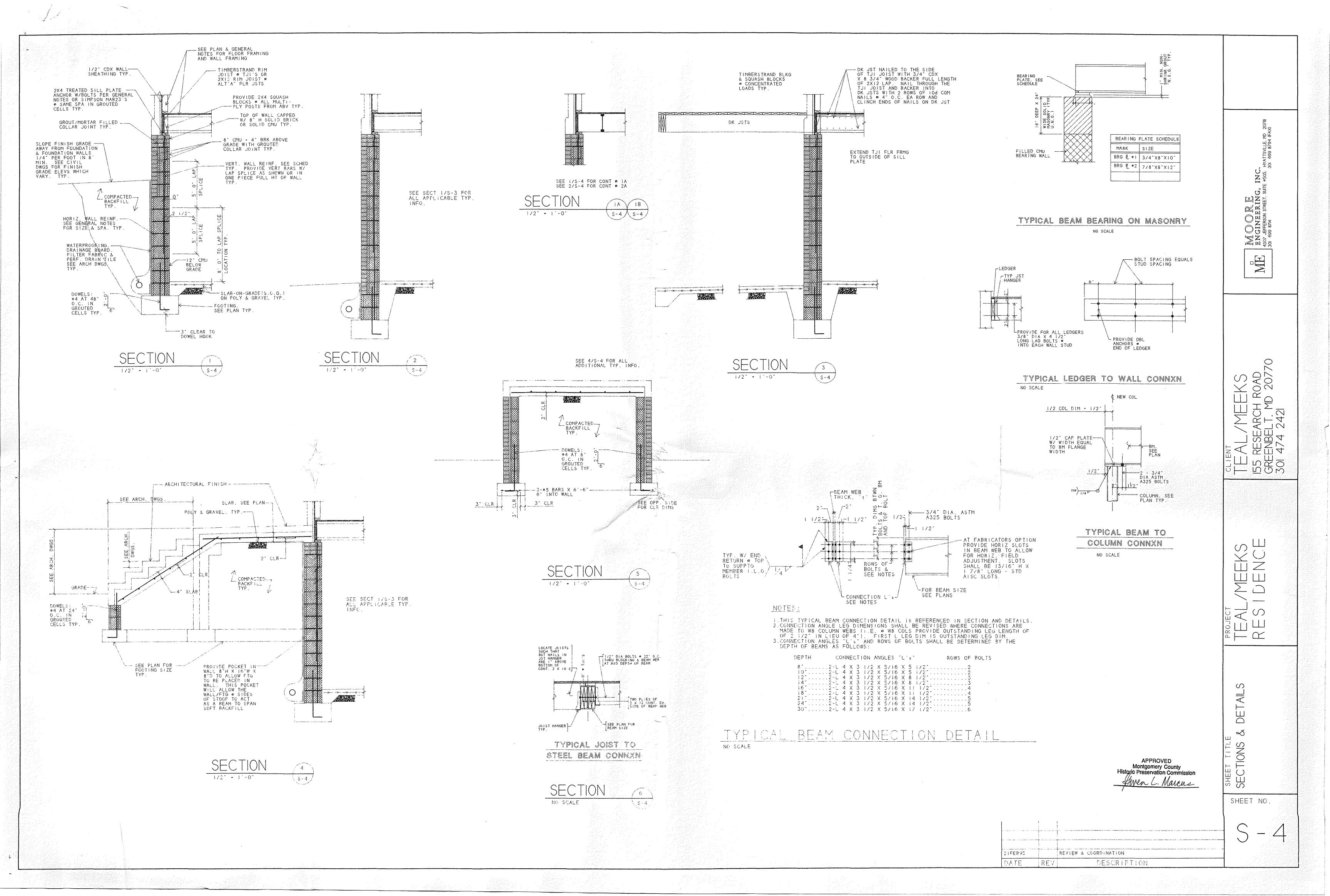












June 13, 1996

Fred T. Teal, Jr. & Teresa E. Meeks 9 North Street Brookeville, MD 20770

Dear Mr. Teal and Ms. Meeks:

Thank you for your letter of June 1st regarding the driveway to your new house on North Street in the Brookeville Historic District. As stated in that letter, you have not been able to obtain an easement or agreement from the Lowder family to share a portion of the driveway on their property (as had been requested by the Historic Preservation Commission.) Therefore, you will continue to need to access your property via a shared driveway over the Chandler property.

I discussed your situation with the Commission at their meeting on June 12th. The Commission understands that you have made a good faith effort to meet the conditions required by the HPC in their approval of your Historic Area Work Permit. However, you have not been able to get the necessary easement or agreement.

Given this, the Commission will approve use of the existing shared driveway over the Chandler property for the present. However, if and when the portion of the Lowders' driveway which visually appears as an extension of North Street is dedicated or purchased as public right-of-way and becomes a public street, then you must connect your driveway into this portion of public street and no longer utilize the shared driveway over the Chandler property.

If you have any questions on this matter, please call me at 495-4570.

Sincerely,

Gwen L. Marcus

Historic Preservation Coordinator

cc:

Mr. and Mrs. Gordon Lowder Richard Allan, Town of Brookeville

Fred T. Teal, Jr. & Teresa E. Meeks 9 North Street Brookeville, MD 20770 (Phone 301 924-0123)

June 1, 1996

Ms. Gwen L. Marcus, Historic Preservation Coordinator Maryland National Park and Planning Commission Historic Preservation Commission 8787 Georgia Avenue Silver Spring, MD 20910-3760

Dear Ms. Marcus:

On February 21, 1995, my wife and I received approval of our request for a Historic Area Work Permit on the condition that we obtain a written agreement to share the driveway owned by adjacent property owners Pat and Gordon Lowder before occupying our new home. You told Teresa and me that we would need to request a waiver of this condition if we were unable to obtain that agreement.

The purpose of this letter is to request a waiver of this condition from the Historic Preservation Commission. We have not been able to obtain such an agreement from the Lowders. Our home is essentially complete and we wish to occupy it. I have spoken to the Lowders on several occasions about obtaining a right-of-way to share a portion of their driveway. On each occasion they have indicated that they definitely do not wish to do that. I have spoken with Mr. Richard Allan and he has indicated that the best long term option would be for the town of Brookeville to purchase the relevant portion of the driveway and dedicate it to public use as a part of North Street. I have told him that Teresa and I would be glad to assist the town in this matter in any way that we can.

Please give us your answer as soon as possible since our home will be ready within a week.

Sincerely,

Fred T. Teal, Jr Teresa E. Meeks

MEMORANDUM

TO:

Mr. Fred Teal

FROM:

Robin Ziek

SUBJECT:

Minor revisions to approved HAWP

DATE:

September 1, 1995

Thank you for contacting this office with your proposed revisions to the approved HAWP for new construction at 9 North Street, Brookeville Historic District.

Gwen has discussed the proposed minor revisions with you, and has determined that they are approvable at the staff level because they do not affect massing, materials, or general scope of the project.

These changes include:

- 1) Using a vent instead of a chimney;
- 2) Changing one window on the side elevation to a door, with a retaining wall and making the other windows shorter. Both these changes are at the basement level;
 - 3) On rear elevation, install center section of bay window with no muntins.

We will stamp your revised drawings, and keep a set for our file.

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MARYLAN	ND NATIONAL CAPI	TAL PARK AND PLANNING COMMIS 8787 Georgia Avenue • Silver Spring, Maryland 209
	T #	5707 Geoligia Avende • Gilver Spring, Ivial yiand 200
		DATE: 2/21/95
—		
MEMORANDU	<u>M</u>	
To:		nief opment Services and Regulation ironmental Protection (DEP)
FROM:	Gwen Marcus, Histo Design, Zoning, an M-NCPPC	oric Preservation Coordinator MM and Preservation Division
SUBJECT:	Historic Area Work	C Permit
attached cation was	application for a F s:	servation Commission has reviewed t Historic Area Work Permit. The app Denied
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	pproved with Condit	
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1 The a the driv Patricia Rubmitte	pplicants must of reway owned by the Lowder). This we	their a written agreement to share a adjacent owners (Gordon and itten agreement must be now single-family
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The a the drive Patricia Numette Nome, THE BUILD UPON ADHE Applicant Address: ***THE AP DEP/FIELD	epplicants must of yeway owned by the Lowder). This was all prior to recups it should be submited the submited to the approximance of North St., applicant must arrange services (217-624)	their se written agreement to she is adjacent owners (fordon and itten agreement must be incur of the new single-family itted to the HPC office. S PROJECT SHALL BE ISSUED CONDITION VED HISTORIC AREA WORK PERMIT (HAWP) Teresa Merks.



RETURN TO:

Department of Environmental Protection Division of Development Services and Regulation 250 Hungerford Drive, Rockville, Maryland 20850 (301) 217-6370

Historic Preservation Commission

HISTORIC AREA WORK PERMIT

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LOCATION OF BUILDING/PREMISE	ል ል [*]
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HOUSE NUMBER 9 (Lot 4, B1. A) STREET North S TOWNICITY Rrookeville NE LOT 4 BLOCK A SUBDIVISION Brookeville	AREST CROSS STREET Market St.
LOT 4 BLOCK A SUBDIVISION Brookevi	He Manor
LIBER 5143 FOLIO 809 PARCEL	
PART ONE: TYPE OF PERMIT ACTION AND USE	•
1A. CIRCLE ALL APPLICABLE: CIRCLE ALL	APPLICABLE: A/C Slab Room Addition
Construct Extend Alter/Renovate Repair Move Porch D	
Wreck/Raze Install Revocable Revision Fence/Well (c	
1B. CONSTRUCTION COST ESTIMATE \$ 240,000	
1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT	SEE PERMIT #
PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EX	TEND/ADDITIONS
2A. TYPE OF SEWAGE DISPOSAL 01 (V) WSSC 02 () SEPTI	03 () OTHER
2B. TYPE OF WATER SUPPLY 01 (V) WSSC 02 () WELL	03 () OTHER
PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WA	LL N/A
3A. HEIGHTinches	
3B. INDICATE WHETHER THE FENCE OR RETAINING WALL IS TO BE CON	STRUCTED ON ONE OF THE FOLLOWING LOCATIONS:
On party line/property line Entirely on land of gwener	On public right of way/easement
THEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING THE CONSTRUCTION WILL COMPLY WITH PLANS APPROVED BY ALL AGENTO BE A CONDITION FOR THE ISSUANCE OF THIS PERMIT.	
Bred Need & Yorca & Mecks	Movember 30, 1994
Signature of owner or authorized agent	Date
APPROVED IN CONDITION For Chairperson, Historic P	reservation Commission
DISAPPROVEDSignature	2/21/95
APPLICATION/PERMIT NO:	TE FILED:DATE ISSUED:

1. WRITTEN DESCRIPTION OF PROJECT

 Description of existing structure(s) and environmental setting, including their historical features and significance:

of 3 vacant lots near the endoy World Street

 General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The home would have a brick enterior double hung undows with divided letter, horizontal wood siding on dorners and architectural grape Skingle. All major trees will be preserved. The home well be scaled and SITE PLAN massed appropriately for the Brookeville Historic District and the last, for the Brookeville Historic

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

2.

You must submit 2 copies of plans and elevations in a format no larger than 11" X 17". Plans on 8 1/2" X 11" paper are preferred.

- a. <u>Schematic construction plans</u>, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- Clearly labeled photographic prints of each façade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

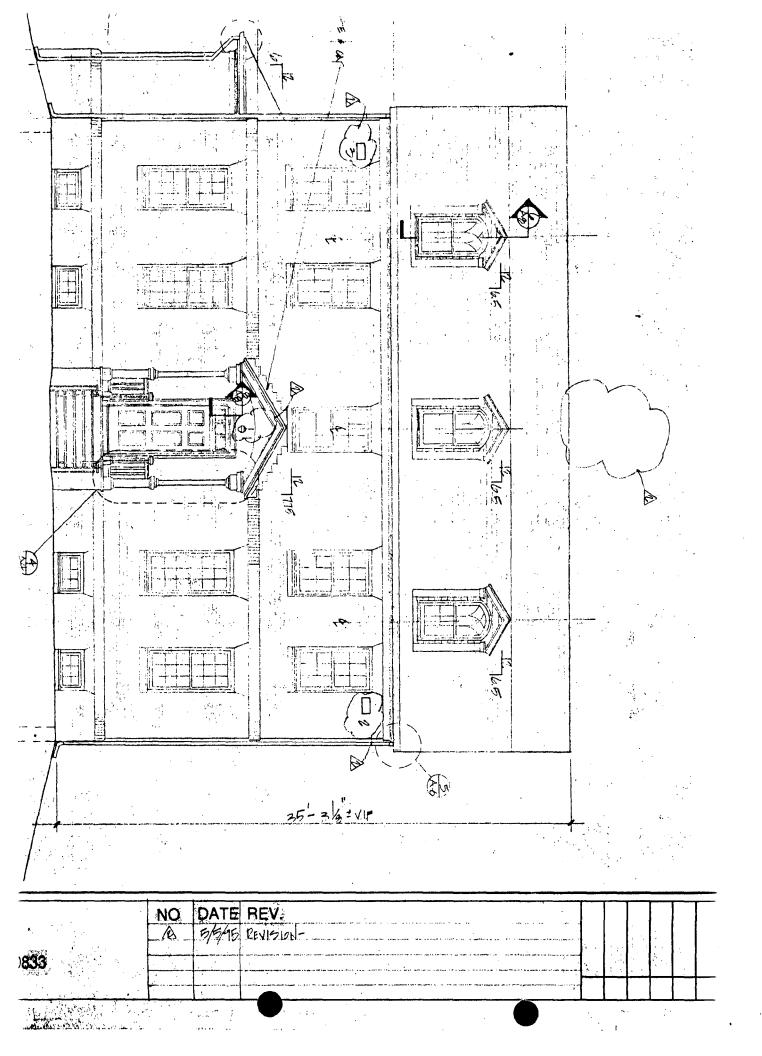
6. TREE SURVEY

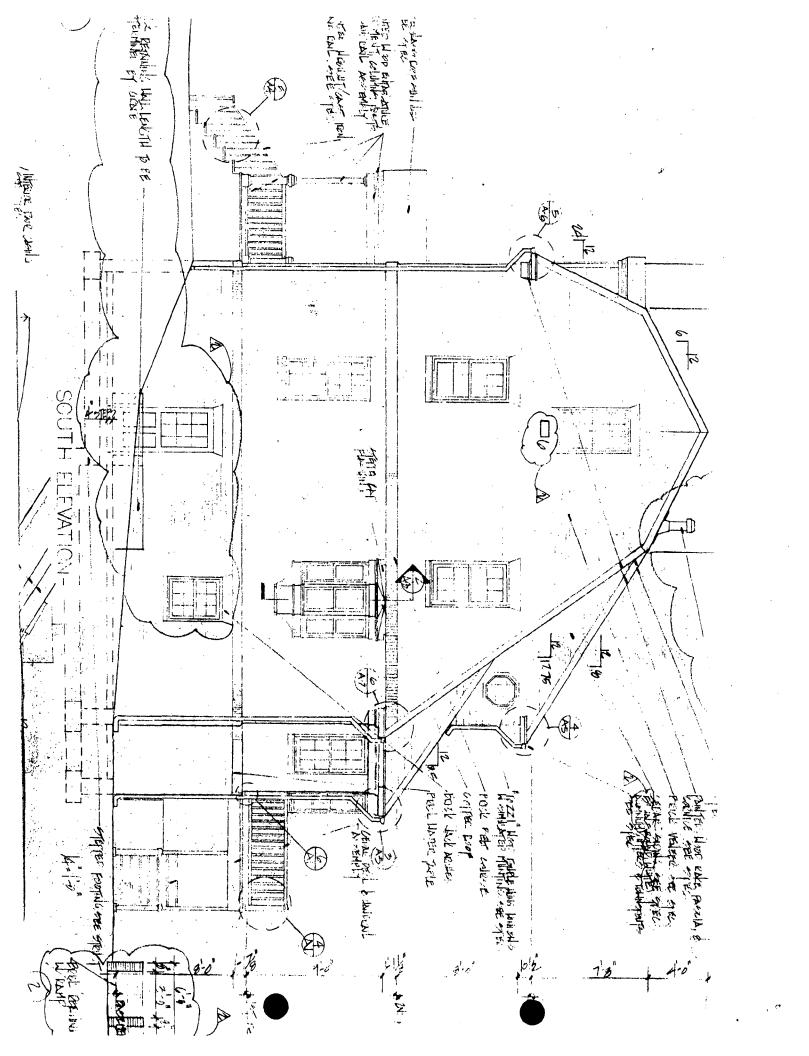
If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

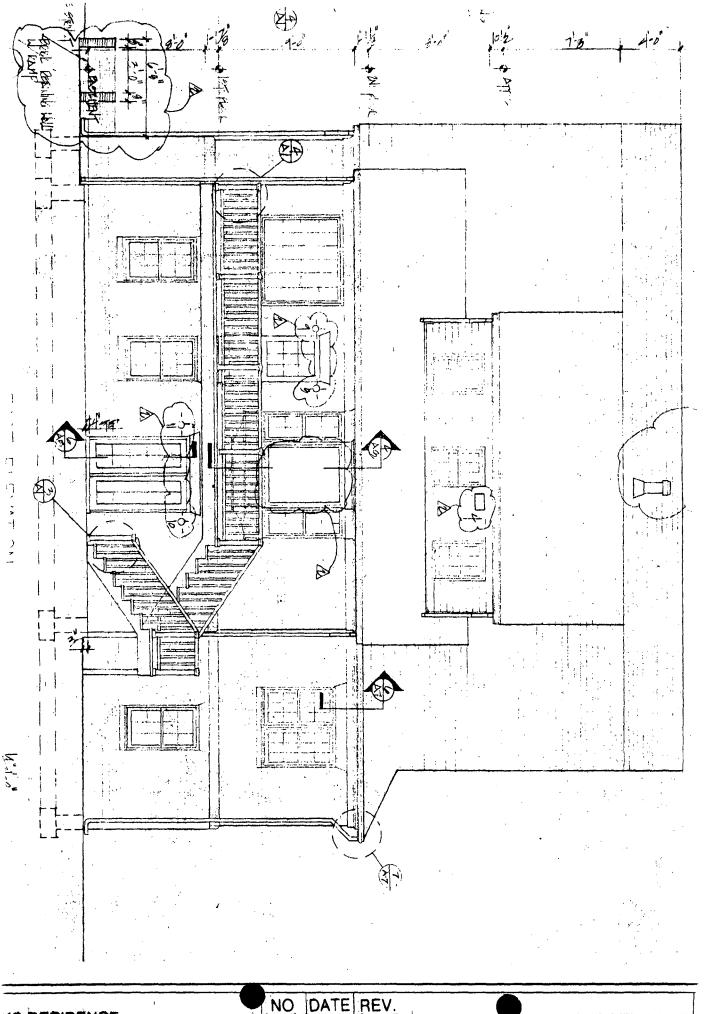
7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For <u>all</u> projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (279-1355).

Please print (in blue or black ink) or type this information on the following page. Please stay within the guides of the template, as this will be photocopied directly onto mailing labels.

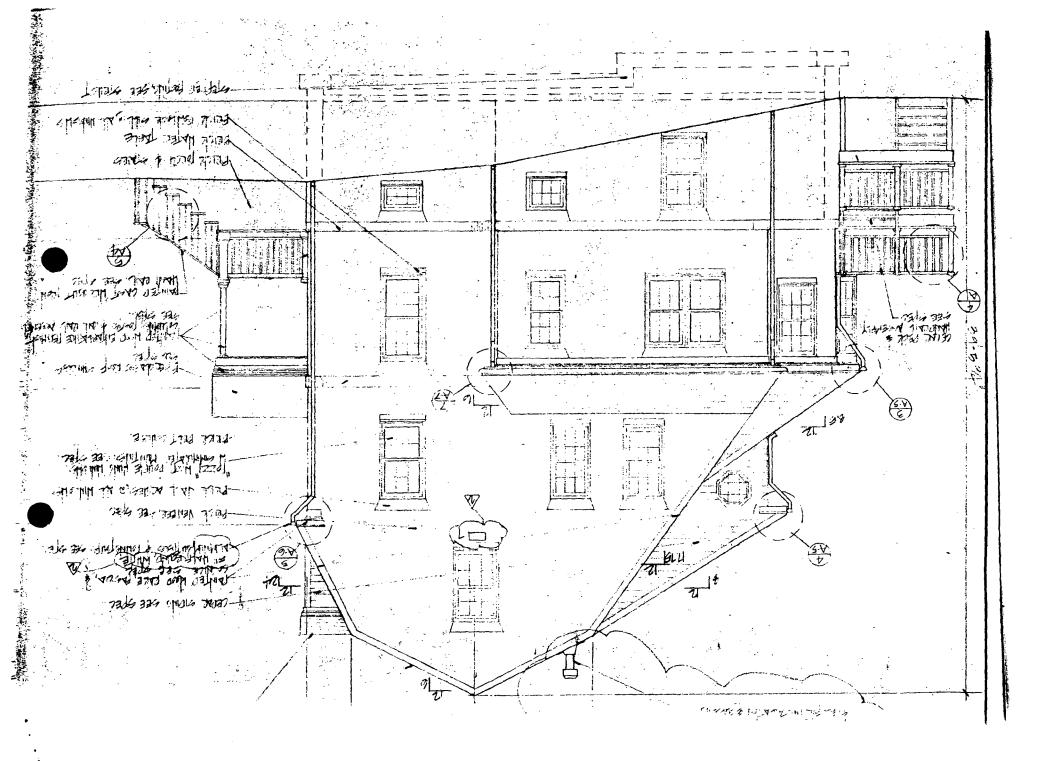






KS RESIDENCE

DATE REV.



0/31/95

TO: GWEN MARLUS

FROM: MILHAEL BELIGLE

RE: TEAL/MEEKS RESIDENCE

AUG 3.1 1995

SILVER SPRING, MD

DEAR GWEN!

ENLOSED ARE THE PELEVANT CHANGES

1 SPACE TO POUL ABOUT ON THE PHONE FRED

WILL BE BY TOMORROW WITH A FULL SET.

SNERELY,

MULLIA J. BELGLE MA.

Robin - for new construction Minor revisions on an approved HAWP.

Ovent instead of chimney

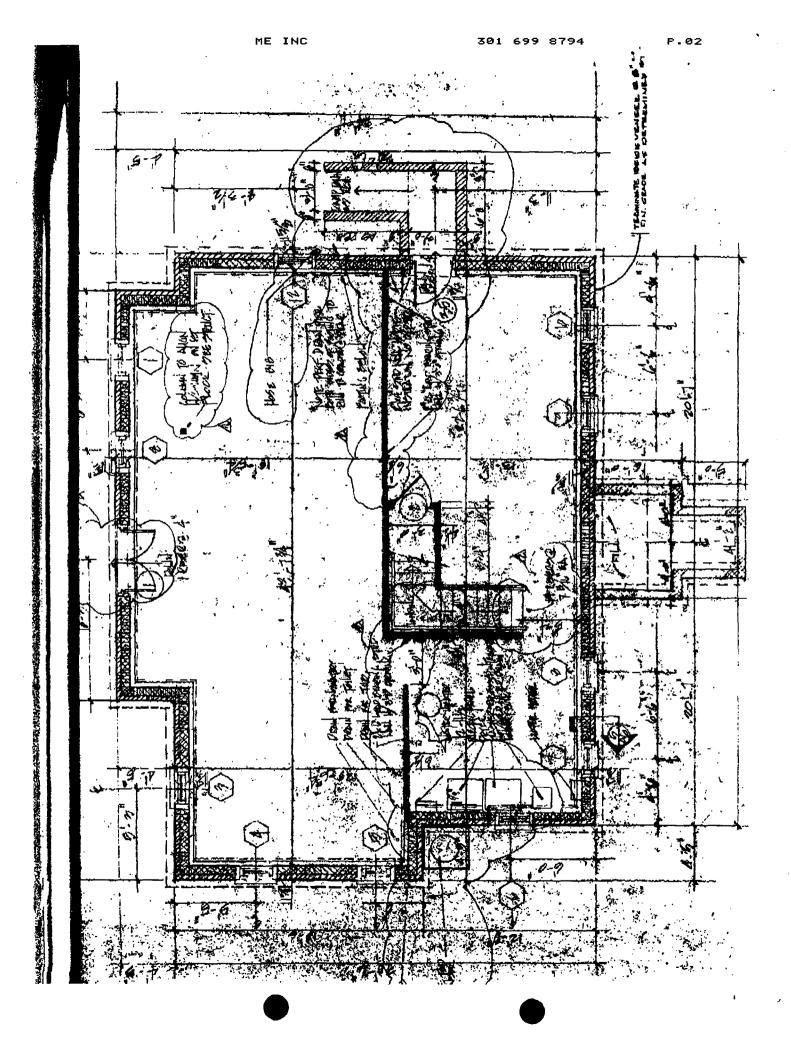
3 on side elevation-door by retaining

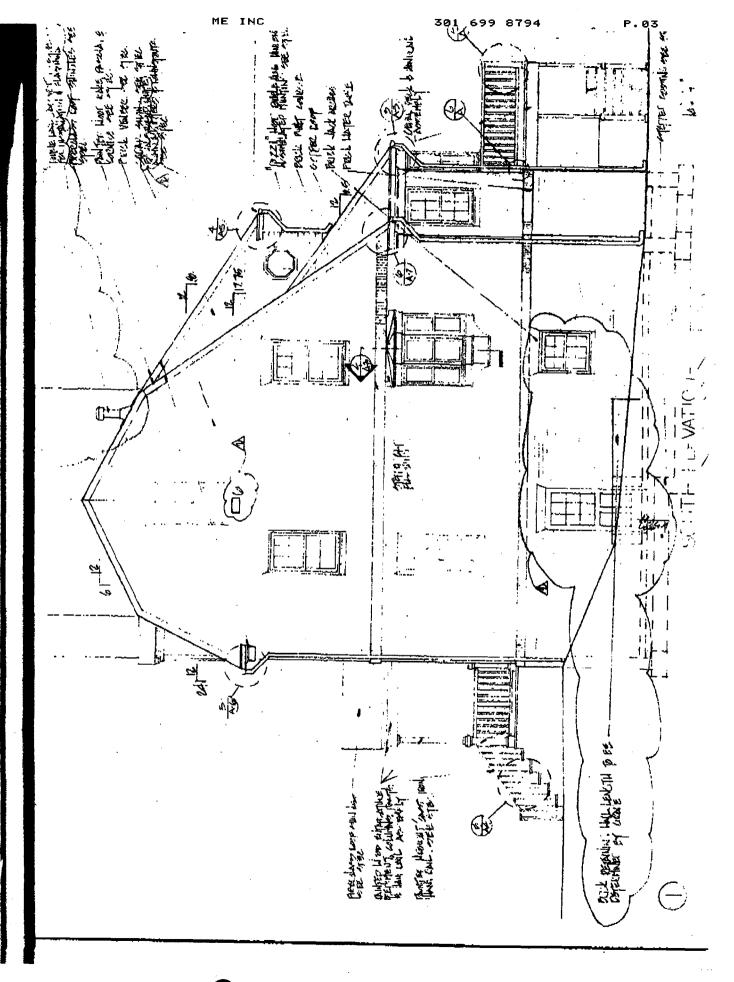
Wall instead of window + other window shooter 3 on rear elevation - center section of bay

window has no muntina

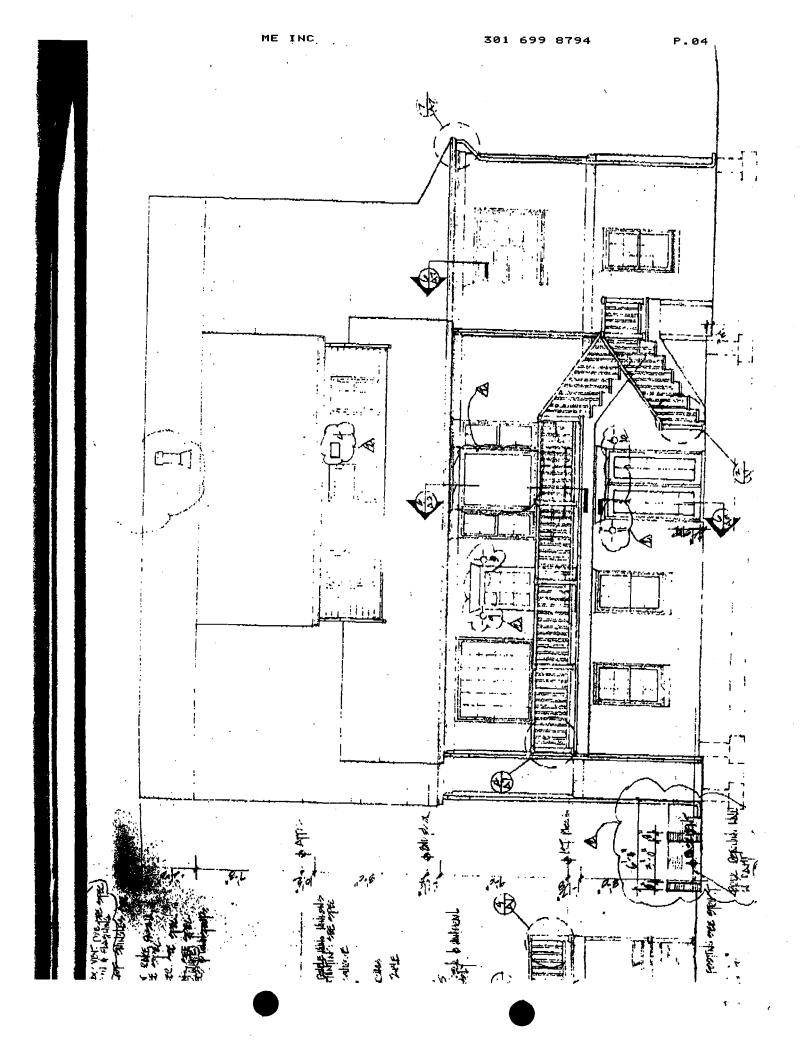
Told architects that this was approvable on a staff level. Could you do a memor to give to owner (Fred Teal) when he comes in + stamp his revised to see see see drawings and keep one set for file.

e in





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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE: 2/21/95

MEMORANDUM

TO:

Historic Area Work Permit Applicants

FROM:

Gwen Marcus, Historic Preservation Coordinator

Design, Zoning, and Preservation Division

M-NCPPC

SUBJECT:

Historic Area Work Permit Application - Approval of

Application/ Release of Other Required Permits

Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Environmental Protection (DEP), at 250 Hungerford Drive, Second Floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DEP before work can begin.

When you file for your building permit at DEP, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DEP. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DEP at 217-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 495-4570.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DEP/Field Services at 217-6240 of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!

	DATE: <u>2/2/</u>	1/95
MEMORANDU	M.	•
ro:	Robert Hubbard, Chief Division of Development Services and Regulat Department of Environmental Protection (DEP)	
FROM:	Gwen Marcus, Historic Preservation Coordinat Design, Zoning, and Preservation Division M-NCPPC	or Jun
SUBJECT:	Historic Area Work Permit	
1) The a	approved with conditions: applicants must obtain a written agreement wway owned by the adjacent owners (ford	on and
<u>Patricia</u> Dubmitt	- Lowder). This written agreement must be id anor to occupancy of the new single-fa	•
	it should be submitted to the HPC office.	
	OING PERMIT FOR THIS PROJECT SHALL BE ISSUED CORANCE TO THE APPROVED HISTORIC AREA WORK PERM	
Applicant	:: Fred Teal and Teresa Merks	

***THE APPLICANT MUST ARRANGE FOR A FIELD INSPECTION BY CALLING DEP/FIELD SERVICES (217-6240) FIVE DAYS PRIOR TO COMMENCEMENT OF WORK AND WITHIN TWO WEEKS FOLLOWING COMPLETION OF WORK.



RETURN TO: Department of Environmental Protection

Division of Development Services and Regulation 250 Hungerford Drive, Rockville, Maryland 20850

(301) 217-6370

Historic Preservation Commission

low mas in ene HISTORIC AREA WORK PERMIT

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AGENT FOR OWNER DAYTIME TELEPHONE NO()	
LOCATION OF BUILDING/PREMISE	
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TOWN/CITY <u>Prookeville</u> NEAREST CROSS STREET <u>Market</u> St	,
LOT 4 BLOCK A SUBDIVISION Brookeville Manor"	
LIBER 5743 FOLIO 809 PARCEL	
PART ONE: TYPE OF PERMIT ACTION AND USE	
1A. CIRCLE ALL APPLICABLE: CIRCLE ALL APPLICABLE: A/C Slab Ro	oom Addition
Construct Extend Alter/Renovate Repair Move Porch Deck Fireplace Shed Solar Woodbu	urning Stove
Wreck/Raze Install Revocable Revision Fence/Wall (complete Section 4) Single Family Other	
1B. CONSTRUCTION COST ESTIMATE \$ 240,000	
1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT #	
The box herican of a reconstruction of a recon	
PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS	
2A. TYPE OF SEWAGE DISPOSAL 01 () WSSC 02 () SEPTIC 03 () OTHER	
2B. TYPE OF WATER SUPPLY 01 (1/2) WSSC 02 () WELL 03 () OTHER	
PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL N/A	
3A. HEIGHTfeetinches	
3B. INDICATE WHETHER THE FENCE OR RETAINING WALL IS TO BE CONSTRUCTED ON ONE OF THE FOLLOWING LOCATION	NS:
On party line/property line Entirely on land of owner On public right of way/easement	
THEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING APPLICATION, THAT THE APPLICATION IS CORRECT THE CONSTRUCTION WILL COMPLY WITH PLANS APPROVED BY ALL AGENCIES LISTED AND I HEREBY ACKNOWLEDGE AND A TO BE A CONDITION FOR THE ISSUANCE OF THIS PERMIT.	
Fired Tlesfon Sonoic Mocks November 30, 1999 Signature of owner or authorized agent Date	Y
Signature of owner of authorized agent Date	
APPROVED For Chairperson, Historic Preservation Commission	
DISAPPROVED Signature 2/21/95	
APPLICATION/PERMIT NO: DATE FILED: DATE ISSUED:	***************************************

SEE REVERSE SIDE FOR INSTRUCTIONS

THE FOLLOWING ITEMS MUST BE COMPLETED AND THE REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

of 3 vacant lots near the endoy North Street

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The home would have a brick exterior, double hung windows with divided leter, horizontal wood siding on dormers and architectural grade Shingle. Oll major trees will be preserved. The house well be scaled and SITE PLAN massed appropriately for the Brookeville Historic District and the lot

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" X 17". Plans on 8 1/2" X 11" paper are preferred.

- a. <u>Schematic construction plans</u>, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For <u>all</u> projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (279-1355).

Please print (in blue or black ink) or type this information on the following page. Please stay within the guides of the template, as this will be photocopied directly onto mailing labels.

See attached sheets

2.

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: Lot 4, 9 North Street Meeting Date: 12/21/94

Resource: Brookeville Historic District Review: HAWP/New Const.

Case Number: 23/65-94G Tax Credit: No

Public Notice: 12/7/94 Report Date: 12/14/94

Applicant: Fred Teal & Teresa Meeks Staff: David Berg

PROPOSAL: New Construction of RECOMMEND: APPROVE

Single Family Dwelling with conditions

BACKGROUND

Resource: Brookeville Historic District

Proposal:

The applicants' proposal is for the construction of a 2 1/2 story single family dwelling on lot 4 at the northern end of North Street. The structure will have a 1200 square foot footprint. It is to be of brick with rear basement walkout and central chimney. Additional materials to be used include German siding for the dormers and simulated true divided light windows.

Issues at Preliminary Consultation:

The applicants' proposal was the subject of a Preliminary Consultation at the September 16, 1994 HPC Meeting. At that time, the Commission gave a favorable review to the proposal and requested only two minor revisions and one condition to the proposal:

- 1) The rear deck railing should have traditional detailing to avoid the typical treated deck appearance.
- 2) The stairway on the rear deck should be redesigned to a "u" shape rather than straight to minimize its length.
- 3) North Street, as a public road, presently ends approximately 60' south of the applicant's property. The road north of this point is owned by J. Gordon and Patricia Lowder. In order to access the property at 9 North Street, the applicant must either construct a drive parallel to the existing road or agree with the Lowders to share their driveway. Since the existence of two parallel drives would adversely impact the visual character of the area, the Commission requested that the applicants seek an agreement with the Lowders to share their driveway.

Current issues:

The only substantive change in the applicants' proposal since their Preliminary Consultation has been the composition of the proposed windows. The applicants' originally intended to use true divided light wood windows. After considering the cost, the applicants' have now proposed to use a simulated true divided light window made by Pozzi. These windows have interior muntins of pine, and exterior muntins of white extruded aluminum which are permanently bonded to the window.

STAFF DISCUSSION

- 1) The applicants' have responded to the Commission's suggestions by re-designing the deck accordingly. Staff feels that the revised design meets the concerns of the Commission.
- The applicants have also spoken to the Lowders concerning the use of their driveway. Mr. Teal has suggested that the agreement with the Lowders be informal. Staff advises that the agreement to share the driveway be in writing (preferably a legal easement) to avoid future difficulties.
- The Commission does not generally approve the use of simulated divided light windows in historic districts. The Brookeville Historic District is unique among the Historic Districts of Montgomery County in its rural character and degree of historic integrity. Staff therefore feels that the use of aluminum clad simulated true divided lights are not in character with the quality of historic materials on other resources in the historic district and recommends the use of wood true divided lights.

STAFF RECOMMENDATION

Staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A-(b)1:

The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district;

and with Standard 9:

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Subject to the following conditions:

1) The applicants obtain a written agreement to share the Lowders driveway.

X

The applicants shall use wood true divided light windows.

and provided the applicant arrange for a field inspection by calling the Montgomery County Department of Environmental Protection (DEP), Field Services Office, five days prior to commencement of work and within two weeks following completion of work.

APPLICATION FOR HISTORIC AREA WORK PERMIT

•	CON	ITACT PERSON <u>Frea</u>	Teal	
TAX ACCOUNT # 8-5-2941741	DAY	TIME TELEPHONE NO(&	301) 474	-2421
NAME OF PROPERTY OWNER Fred Teal / Ter				
ADDRESS 155 Research Rd.		MD		20770
contractor To be selected	CITY TEL	STATE EPHONE NO. ()		ZIP CODE
CONTRACTOR REGISTRATION				
AGENT FOR OWNER	DAY	TIME TELEPHONE NO()	
LOCATION OF BUILDING/PREMISE		*****		
HOUSE NUMBER 9 (Lot 4, Bl. A) STREET.				
TOWNICITY Brookeville	NE#	REST CROSS STREET	arket	St.
LOT BLOCK SUBDIVISION _				
LIBER <u>5763</u> FOLIO <u>809</u> PARCEL				
PART ONE: TYPE OF PERMIT ACTION AND	USF			
			io aut	Danie Addition
1A. CIRCLE ALL APPLICABLE:		APPLICABLE: A		Room Addition
Construct Extend Alter/Renovate Repair Mo				Woodburning Stove
Wreck/Raze Install Revocable Revision	ion Fence/Wall (co	mplete Section 4) Single Fam	Other	
1B. CONSTRUCTION COST ESTIMATE \$ 240,	000			
1C. IF THIS IS A REVISION OF A PREVIOUSLY APPRO	OVED ACTIVE PERMIT	SEE PERMIT #		
PART TWO: COMPLETE FOR NEW CONSTI	RUCTION AND EX	TEND/ADDITIONS		
2A. TYPE OF SEWAGE DISPOSAL 01 (1/) WSSC	02 () SEPTIC	: 03 () OTHER		
2B. TYPE OF WATER SUPPLY 01 (V) WSSC	02 () WELL	03 () OTHER		•
PART THREE: COMPLETE ONLY FOR FENC	E/RETAINING WAI	-L _//n		
3A. HEIGHTinches		N/A		
3B. INDICATE WHETHER THE FENCE OR RETAINING	WALL IS TO BE CONS	TRUCTED ON ONE OF THE	FOLLOWING LO	CATIONS:
On party line/property line Entit				
I HEREBY CERTIFY THAT I HAVE THE AUTHORITY TO M. THE CONSTRUCTION WILL COMPLY WITH PLANS APPL TO BE A CONDITION FOR THE ISSUANCE OF THIS PER	ROVED BY ALL AGENC RMIT.	EIES LISTED AND I HEREBY A	ACKNOWLEDGE	AND ACCEPT THIS
Firef Tlender Grand E. M. Signature of owner or authorized agent	reko	November	U 30,)	994
APPROVEDFor C	Chairperson, Historic Pr	eservation Commission		(4)
DISAPPROVED Signal	ature	Date		

2.

1.

WRITTEN DESCRIPTION OF PROJECT

 Description of existing structure(s) and environmental setting, including their historical features and significance:

of 3 vasant lots near the endoy Morth Street

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The home would have a brick exterior, double hing word siving on dormers and architectural graph shingles. All major trees will be preserved. The house will be scaled and site of forthe Brookeville Historic Destrict and the lot.

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" X 17". Plans on 8 1/2" X 11" paper are preferred.

- a. <u>Schematic construction plans</u>, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

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- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

ITEMS TO ACCOMPANY APPLICATION FOR HISTORIC AREA WORK PERMIT

1. WRITTEN DESCRIPTION OF PROJECT:

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

There is no existing structure. We desire to construct a new home on lot 4 in Brookeville Manor. It is one of three vacant lots near the West end of North Street. The property was owner formerly by James and Janice Schmidtlein.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The 2,500 square foot single family home will have a footprint of about 40' x 30', will have a brick exterior, double hung windows with divided lites, horizontal wood siding on sides of domers and architectural grade shingles. A major effort will be made to preserve the natural environment to the greatest extent possible. All major trees will be preserved including one 28" ash adjacent to the home. Grading has been kept to a minimum with only a small amount of cut and fill around the house.

The driveway will be crushed stone to preserve the natural look and avoid the creation of more run-off. The home will be scaled and massed appropriately for the Brookeville Historic District and the size of the lot. The house will be located nearly 200 yards from Market Street and will be largely obscured by the large trees along the existing fence row. Its impact on the District should be minimal

2. SITE PLAN: See attached.

3. PLANS AND ELEVATIONS: See Attached.

4. MATERIALS DESCRIPTIONS:

EXTERIOR WALLS: Local brick including custom shapes for sills, stair treads,

chimney and headers over windows. Cedar siding (German

lapped) on all dormer areas.

WINDOWS: All to be double glazed and incorporating simulated divided

lites from Pozzi with interior shadow bars. Interior muntins to be pine and permanently bonded to the glass. Exterior muntins to be extruded aluminum in white, permanently



bonded to the glass. All larger front windows will be double hung. Front basement windows may be awning. Others may be fixed or casement but all will have divided lites.

ROOF:

Porch roof will be standing seam copper. Several small bay windows (one at SE kitchen and one NE family room) will also use the same material for their roofing. All other roof areas will use architectural grade shingles with deep shadow lines. We propose specifically the Independence Shangle from CertainTeed (fiberglass, 300 lbs per square, deep shadows, double layers). It will simulate wood shakes or slate.

PAVING:

Gravel driveway, asphalt parking area and brick walkways.

5. **PHOTOGRAPHS:** See accompanying binders which include a number of views of the site taken from various places along the public right of way as well as some of the homes in Brookeville. Page 13 includes a photograph of a home on an adjoining property.

6. TREE SURVEY:

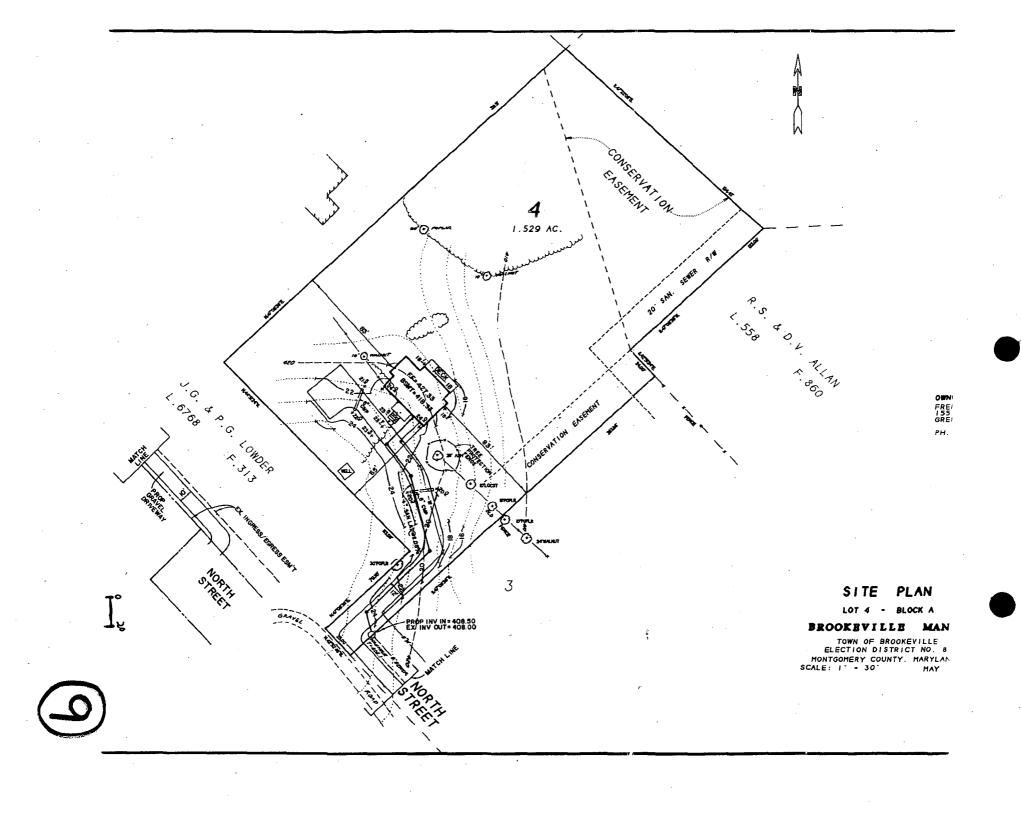
The site plan (item 2 above) includes the identification and placement of all larger trees to be affected by construction.

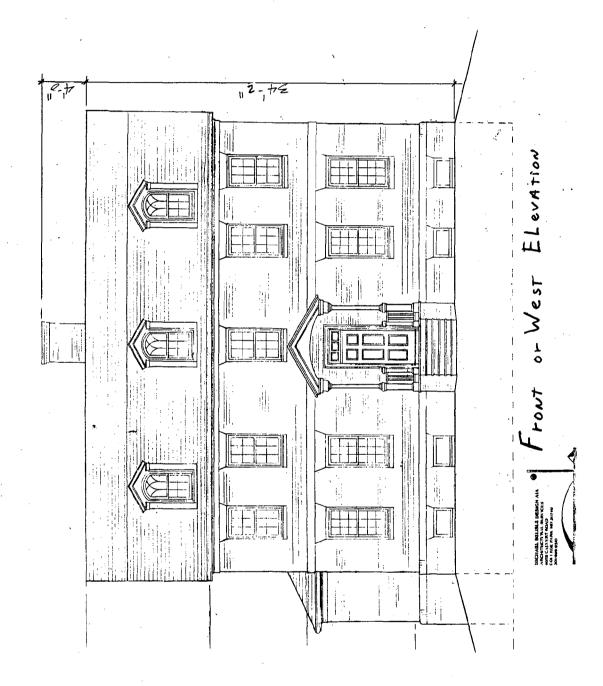
7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS:

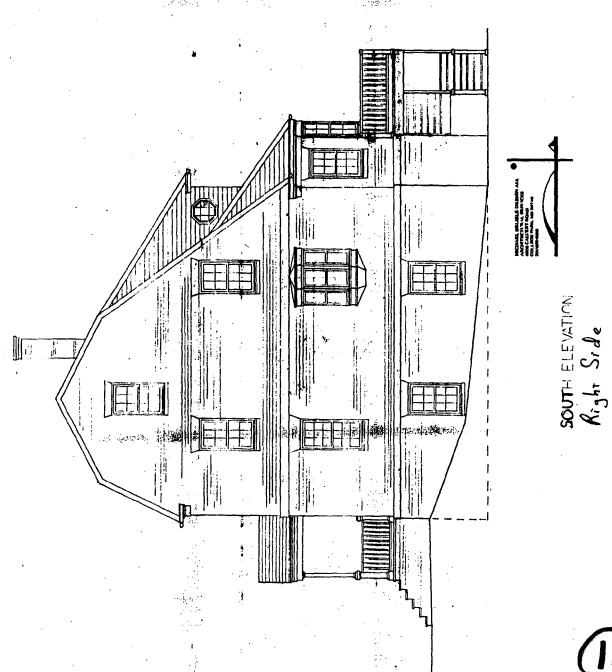
- a. Adjacent owners:
- (1). James R. Schmidtlein Janice S. Schmidtlein 8001 Brethren Drive Gaithersburg, MD 20879 Phone (301) 330-3387
- (2). Maryland National Park and Planning Commission (Park land to the North East at back of lot.)
- (3). Gordon LowderPatricia LowderP.O. Box 244 (1 North Street)Brookeville, MD 20833



- (4). Richard S. AllanDiane V. Allan205 Market StreetBrookeville, MD 20833
- b. Confronting owner:
- (1). Dr. J. Howell Howard Jr. 219 Ingraham Street N.W. Washington, D.C. 20011 Phone (202) 829-1310



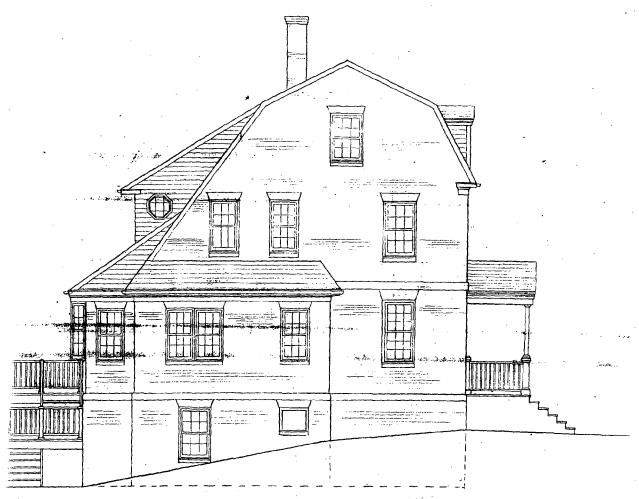








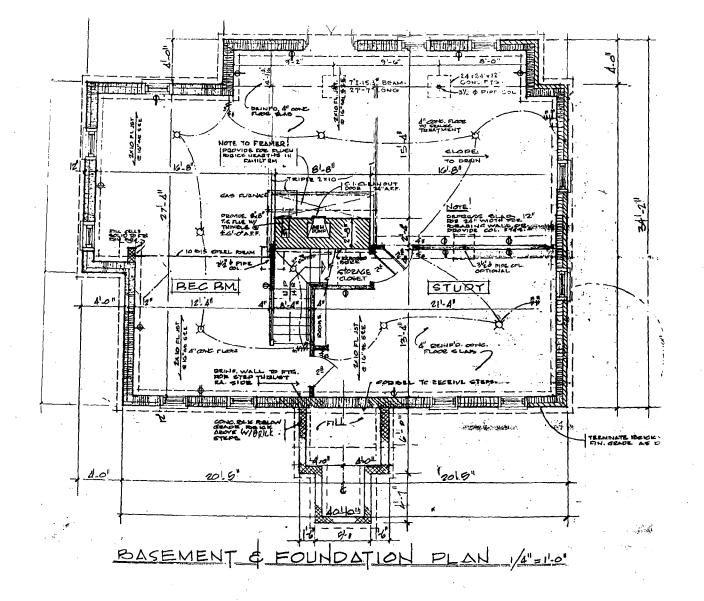
EAST Elevation Rear



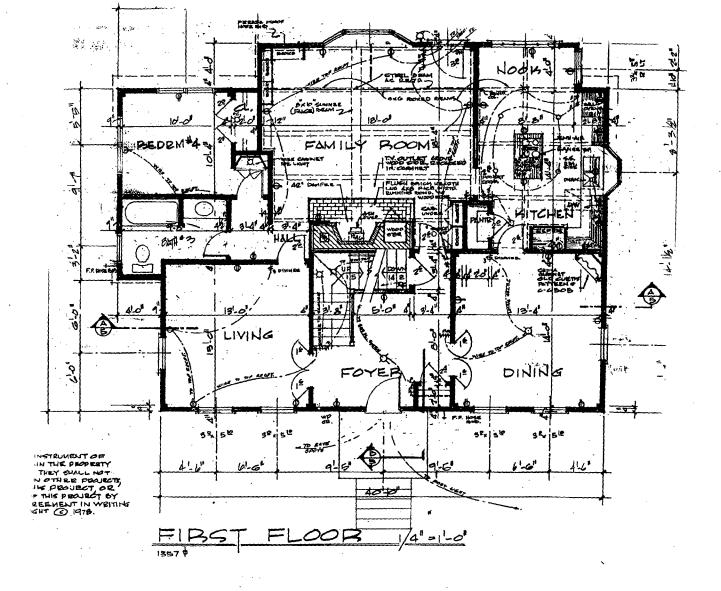


North Elevation
Left Side

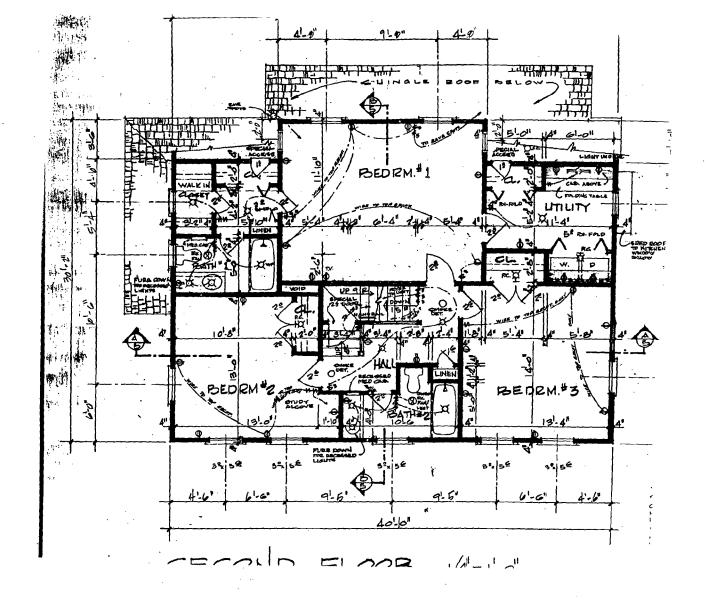














Two series of photographs are shown. The first illustrates the extent to which the homesite will be visible first, from the conservation areas (private back yards) to the South East, second from North Street and last, from Market Street. It also gives some indication of how visible the proposed rear deck will be.

The second is a series of 8 pictures showing representative homes in the Brookeville Historic District. None are adjacent to the proposed homesite but many are in the near vicinity.

PHOTOS WILL BE AVAILABLE AT THE HPC MEETING FOR CLEARER VIEWING



Photo V-1. Taken from position between lots 2 and 3 in the meadow (conservation) area at a distance of about 200 feet. Used 35 mm lens. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have 8 1/2 x 11 inch manila folders at the top. Teresa is standing next to the post.



Photo V-2. Taken from position between lots 2 and 3 in the meadow (conservation) area at a distance of about 200 feet. A 70 mm lens was used. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have $8 \frac{1}{2} \times 11$ inch manila folders at the top. Teresa is standing next to the post.

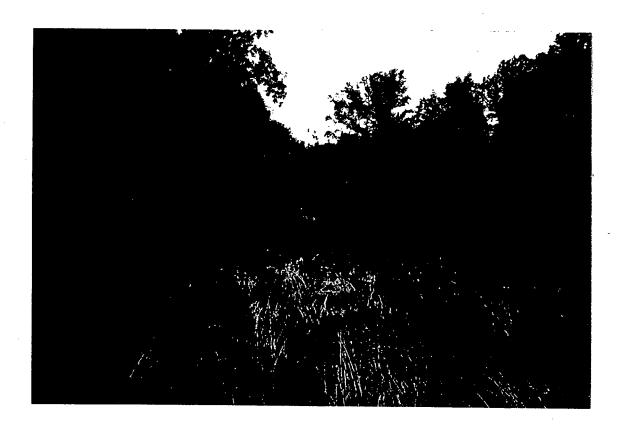


Photo V-3. Taken from position between lots 1 and 2 in the meadow (conservation) area at a distance of about 300 feet. A 35 mm lens was used. The outer target post at proposed home site is located at the outside corner of the deck. Inner post represents the corner of the house wall. Both posts have 8 1/2 x 11 inch manila folders at the top. Teresa is standing next to the post.





Photo V-4. Taken from position between lots 1 and 2 in the meadow (conservation) area at a distance of about 260 feet. A 70 mm lens was used. The outer post at the proposed home site is located at the outside corner of the deck. The inner post represents the corner of the house wall. Both posts have $8\ 1/2\ x\ 11$ inch manila folders at the top. Teresa is standing next to the post.





Photo V-5. Taken from the driveway flag of proposed home site at a distance of about 125 feet. The manila folder on the back post is barely visible through the trees just left of the center of the picture. It is seen as a small yellow dot. The large tree at the left of the picture is a tulip poplar located at the corner where the driveway flag joins the main portion of the lot. Trees to the right of center are part of the hedgerow.



Photo V-6. Taken from North Street at the boundary of lots 2 and 3 at a distance of about 250 feet from the proposed homesite. The 8 1/2 x 11 inch manila folder on the back post can be seen as a small yellow dot just left of center in the photo. The large tree at the center of the picture is a walnut located on lot 3 in the hedgerow. The tree's canopy extends out into the meadow in both directions for 40 feet or more. It can also be seen as one looks up the meadow from the direction of Market street. It, and the other trees in the hedgerow, will almost obscure the proposed homesite. It is at this point that a parallel driveway would need to be constructed across the front of lot 3 if a driveway easement cannot be obtained from the Lowders to use their existing driveway.



Photo V-7. Taken from North Street at the boundary of lots 1 and 2 at t distance of about 350 feet from the proposed homesite. All of the large trees seen at the back are part of the hedgerow except those at the extreme left. Those are at the corner of the driveway flag of the proposed homesite.



Photo V-8. This is a view of North Street looking up from Market street. The distance to the homesite from this point is about 630 feet. The house at the left is 209 Market Street, one of the homes shown in the pictures of houses with central chimneys.



Photo V-9. Taken from the sidewalk on Market Street next to 207 Market or lot 1 of Brookeville Manor. The manila folder was just obscured behind trees in the hedgerow at the center of the picture. The site is about 600 feet away. A 35 mm lens was used. The driveway wall of # 207 is seen at the right.



Photo V-10. This photo taken from the sidewalk on Market Street about 30 feet farther down from the spot where photo V-9 was taken. A 35 mm lens was used. The flag at the back of the homesite can been seen between the two large shrubs in the back yard of # 207 Market Street.



Photo V-11. The same as V-10 but using a 70 mm lens. The eye sees objects about the same as a 50 mm lens, which is between the 35 mm wide angle and the 70 mm telescopic views shown. Both lenses were used for several of these photos to provide a better sense of the true size as seen by the human eye.

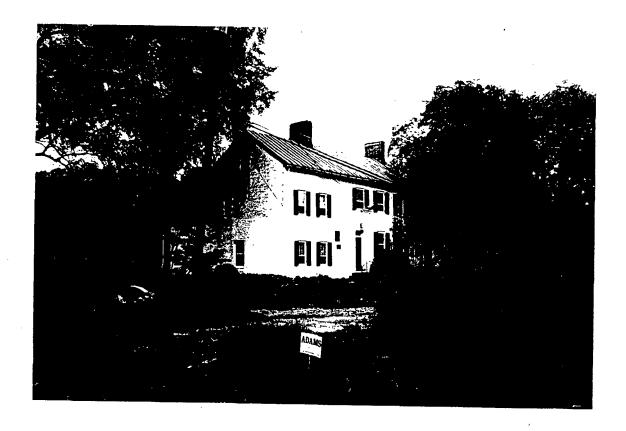


Photo C-1. The "Madison House" at 205 Market Street. Built in 1798 and used in 1814 by President and Mrs Madison for several days during the British burning of Washington. One central chimney and one end chimney are seen in this view. The central chimney is the result of an addition to the original house.



Photo C-2. An Italianate style home built about 1840 located on lot 1 of the Brookville Manor subdivision. A rear chimney can be seen. A front central chimney is largely hidden behind the branches of a large tree. It may be the result of an addition to the original house. Market street photos (V 9 through 11) of the proposed homesite were taken across the yard of this home.



Photo C-3. This is a 1950s version of a Dutch Colonial at 209 Market Street. It includes several dormers and a prominent central chimney. It is located across the street from the Madison House.



Photo C-4. New home at 209 Market Street. A very recent (1993) home at the corner of North and Market Streets. It is a Colonial revival style and features a large central chimney.

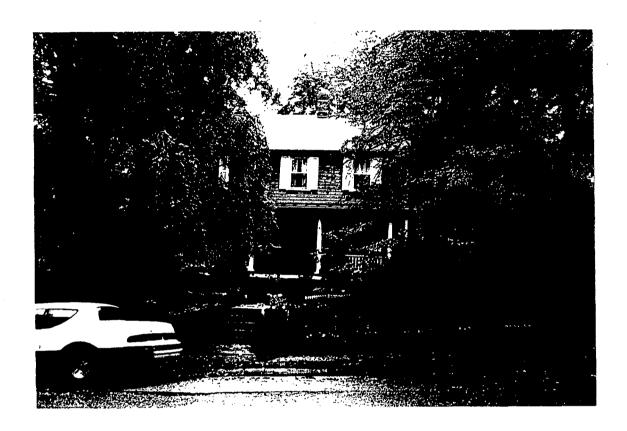


Photo C-5. Another Dutch Colonial Revival style home at 212 Market Street. It was also constructed during the 20th century. A central chimney is a prominent feature of the dwelling.





Photo C-6. Located at 6 High Street, this American Foursquare home features vinyl Siding and a central chimney. The home was constructed in 1924.



Photo C-7. A home at 6 High Street, featuring a center gable and Gothic Revival style. A central chimney is also an element of the home. It was constructed in the 1870's.

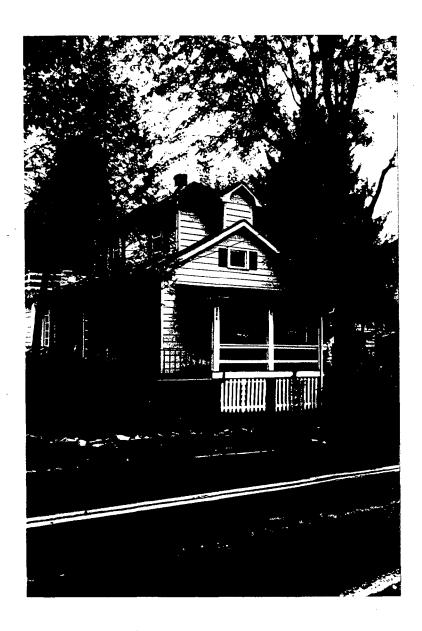


Photo C-8. A very architecturally interesting home at 306 Market Street. It was built in several phases and put to several commercial uses over time. It features a central, corbelled chimney. It dates from the 1800s.

Proposed homesite of Fred T. Teal, Jr. and Teresa Meeks - Michael Belisle Architect

HAWP "G"

December 21, 1993

FAX MEMO

TO:

David Berg, MNCPPC

FROM:

Fred Teal

SUBJECT:

Draft Easement with the Lowders

NOTE: 4 pages including this page.

Phone: (301) 474-2421

FAX: (301) 474-2582

JOINT DRIVEWAY AGREEMENT/EASEMENT

THIS AGREEMENT, is made this	day of	, 199, by J. Gordon
Lowder and Patricia G. Lowder (hereinafter:	referred to as the "Lowd	lers") and Fred T. Teal, Jr.
and Teresa E. Meeks (hereinafter referred to	as the "Teal/Meeks").	•

WHEREAS, the Lowders are the owners of and hold fee simple title to certain real property located in the town of Brookeville in Montgomery County, Maryland as recorded in Liber 6760 and Folio 313 of the Land Records of Montgomery County, Maryland; and

WHEREAS, the Teal/Meeks own adjacent property known as Lot 4, Block A, Brookeville Manor recorded in Plat Book 163 at plat 18393 and recorded in the Land Records of Montgomery Country in Liber 5163 and Folio 809; and

WHEREAS, the Teal/Meeks property does not connect to North Street and the Lowders have an existing driveway which enables access to North Street from the driveway of the Teal/Meeks property; and

WHEREAS, the Lowders are willing to give the Teal/Meeks an easement to permit them to share that segment of the Lowders' driveway (See Exhibit A) necessary to provide the Teal/Meeks access from the beginning of their driveway to the end of North Street, and

WHEREAS, the Teal/Meeks are willing to enter into such an arrangement and assume certain responsibilities with respect to the maintenance of the shared driveway;

THEREFORE the Lowders do hereby establish an easement and right of way for the benefit of the Teal/Meeks with the following provisions:

- a. The Teal/Meeks agree to take special precautions to protect the driveway surface during the period of construction of their proposed home by spreading a 6" layer of chrusher run # 6 bluestone over the existing roadbed prior to the entry of any large vehicles or other heavy construction equipment. They will also take immediate steps to repair any damage that might result from construction equipment using the driveway. They will be fully responsible for any and all costs incurred.
- b. After construction is complete, the Teal/Meeks agree to pay the full cost of maintenance of that shared section of the driveway whenever the Lowders have additional gravel spread on or other necessary repairs done to that section of the driveway in order to maintain it in its original condition. Should, in future, an additional easement be created for the benefit of the owners of Lot 3, Block A, then adjustments to the cost sharing provisions of this easement may be made.
- c. This sharing arrangement may not in any way act as a bar to prevent the Lowders from subdividing their existing property for the purpose of constructing an additional dwelling and

having two families on their property share the existing drive. If the town, county, state, federal or any organizational component of any of these should deny the Lowders permission to subdivide and construct this additional dwelling on their property using this joint driveway agreement as the sole reason for that denial, all parties acknowledge that this agreement will become null and void.

- d. When the Lowders have obtained all permissions necessary to subdivide their property and/or construct the additional dwelling or dwellings, or after three years have passed and there is no action in progress to accomplish such subdivision and/or construction, or prior to the sale of their property, they agree to make this easement a permanent one by having it filed in the land records of Montgomery County so that it may become an easement of record.
- e. Once the permanent filing of this easement has occurred, the easement, rights and obligations created hereby are appurtenant to the Teal/Meeks property and the Lowder property and shall be binding upon and inure to the benefit of all subsequent owners of the aforesaid properties.
- f. In any action to enforce this Agreement or seeking damages for breach of this Agreement, if a party is found to have breached this Agreement, the breaching party shall pay all reasonable attorney's fees and costs incurred by the prevailing party.
- g. In the event of a dispute between the parties to this agreement, such dispute shall be submitted to binding arbitration by an arbitrator to be selected by the parties, and if the parties cannot agree, such dispute shall be submitted to binding arbitration by an arbitrator in accordance with the rules of the Voluntary Arbitration program of the Bar Association of Montgomery County, Maryland.

IN WITNESS WHEREOF, the Parties to this agreement have hereunto set their hands and seals the day and year first above written.

J. Gordon Lowder	Fred T. Teal, Jr.	
		•
Patricia G. Lowder	Teresa E. Meeks	"

EXHIBIT A

INGRESS AND EGRESS EASEMENT AREA

Beginning for the same at the North Westerly end of North Street at the North corner of the 50 foot right of way, as per plat thereof recorded in Plat Book 163 at Plat 18393;

- 1. Proceed South 47 08' 36" West for 15 feet to a point, thence
- 2. North 42 51' 55" West for 105 feet, thence
- 3. North 47 08' 36" East for 15 feet to a point at the North West corner of the driveway for the Teal/Meeks property, thence
- 4, South 42 51' 55" East for 105 feet to the point of beginning, said easement area containing 1,575 square feet, more or less.

JOINT DRIVEWAY AGREEMENT/EASEMENT

THIS AGREEMENT, is made this	day of	_, 199_, by J. Gordon
Lowder and Patricia G. Lowder (hereinafter	referred to as the "Lowders"	and Fred T. Teal, Jr.
and Teresa E. Meeks (hereinafter referred to	o as the "Teal/Meeks").	

WHEREAS, the Lowders are the owners of and hold fee simple title to certain real property located in the town of Brookeville in Montgomery County, Maryland as recorded in Liber 6760 and Folio 313 of the Land Records of Montgomery County, Maryland; and

WHEREAS, the Teal/Meeks own adjacem property known as Lot 4, Block A, Brookeville Manor recorded in Plat Book 163 at plat 18393 and recorded in the Land Records of Montgomery Country in Liber 5163 and Folio 809; and

WHEREAS, the Teal/Meeks property does not connect to North Street and the Lowders have an existing driveway which enables access to North Street from the driveway of the Teal/Meeks property; and

WHEREAS, the Lowders are willing to give the Teal/Meeks an easement to permit them to share that segment of the Lowders' driveway (See Exhibit A) necessary to provide the Teal/Meeks access from the beginning of their driveway to the end of North Street, and

WHEREAS, the Teal/Meeks are willing to enter into such an arrangement and assume certain responsibilities with respect to the maintenance of the shared driveway;

THEREFORE the Lowders do hereby establish an easement and right of way for the benefit of the Teal/Meeks with the following provisions:

- a. The Teal/Meeks agree to take special precautions to protect the driveway surface during the period of construction of their proposed home by spreading a 6" layer of chrusher run #6 bluestone over the existing roadbed prior to the entry of any large vehicles or other heavy construction equipment. They will also take immediate steps to repair any damage that might result from construction equipment using the driveway. They will be fully responsible for any and all costs incurred.
- b. After construction is complete, the Teal/Meeks agree to pay the full cost of maintenance of that shared section of the driveway whenever the Lowders have additional gravel spread on or other necessary repairs done to that section of the driveway in order to maintain it in its original condition. Should, in future, an additional easement be created for the benefit of the owners of Lot 3, Block A, then adjustments to the cost sharing provisions of this easement may be made.
- c. This sharing arrangement may not in any way act as a bar to prevent the Lowders from subdividing their existing property for the purpose of constructing an additional dwelling and

having two families on their property share the existing drive. If the town, county, state, federal or any organizational component of any of these should deny the Lowders permission to subdivide and construct this additional dwelling on their property using this joint driveway agreement as the sole reason for that denial, all parties acknowledge that this agreement will become null and void.

- d. When the Lowders have obtained all permissions necessary to subdivide their property and/or construct the additional dwelling or dwellings, or after three years have passed and there is no action in progress to accomplish such subdivision and/or construction, or prior to the sale of their property, they agree to make this easement a permanent one by having it filed in the land records of Montgomery County so that it may become an easement of record.
- e. Once the permanent filing of this easement has occurred, the easement, rights and obligations created hereby are appurtenant to the Teal/Meeks property and the Lowder property and shall be binding upon and inure to the benefit of all subsequent owners of the aforesaid properties.
- f. In any action to enforce this Agreement or seeking damages for breach of this Agreement, if a party is found to have breached this Agreement, the breaching party shall pay all reasonable attorney's fees and costs incurred by the prevailing party.
- g. In the event of a dispute between the parties to this agreement, such dispute shall be submitted to binding arbitration by an arbitrator to be selected by the parties, and if the parties cannot agree, such dispute shall be submitted to binding arbitration by an arbitrator in accordance with the rules of the Voluntary Arbitration program of the Bar Association of Montgomery County, Maryland.

IN WITNESS WHEREOF, the Parties to this agreement have hereunto set their hands and seals the day and year first above written.

J. Gordon Lowder	Fred T. Teal, Jr.	
Patricia G. Lowder	Teresa E. Mecks	

EXHIBIT A

INGRESS AND EGRESS EASEMENT AREA

Beginning for the same at the North Westerly end of North Street at the North corner of the 50 foot right of way, as per plat thereof recorded in Plat Book 163 at Plat 18393;

- 1. Proceed South 47 08' 36" West for 15 feet to a point, thence
- 2. North 42 51' 55" West for 105 feet, thence
- 3. North 47 08' 36" East for 15 feet to a point at the North West corner of the driveway for the Teal/Meeks property, thence
- 4, South 42 51' 55" East for 105 feet to the point of beginning, said easement area containing 1,575 square feet, more or less.

December 22, 1994

David Berg Maryland-National Capital Park & Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910-3760

Dear Mr. Berg:

This letter shall confirm the request of Fred Teal, Teresa Meeks, and myself, Michael Belisle, acting as architect and agent for the other two parties, to have the final permit set of drawings stamped for an historic work area permit. This set of drawings should be ready for your approval in about three weeks time from the above mentioned date. It is understood that you will review the drawings at that time to ensure that no changes have been made from the drawings that were approved by the H.P.C. on December 21, 1994. I will also be furnishing you with one set of drawings at that time for your records. Thank you.

Sincerely,

Michael J. Belisle

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